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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. JACKSON-LEE of Texas).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 23, 2009.

I hereby appoint the Honorable SHEILA JACKSON-LEE to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

Chaplain Mark Campbell, Office for the Deputy Under Secretary of Defense, Washington, D.C., offered the following prayer:

Almighty God, enlighten our eyes that we may see clearly Your purposes for our great country, and grant Your wisdom to these dedicated leaders. Provide the ability to discern the best from the good, the workable from the unhandy, the useful from the frivolous. ''Make us to choose the harder right over the easier wrong.''

I ask this day for Your energy and benediction on the work of this body, on the decisions to be made, and in the agreements to be struck.

Protect our troops today, and change the hearts of those who wish ill against our Nation.

I also ask Your divine blessing on each House Member, their families, and their staffs.

With gratitude to You, most high God, I pray in the name of my Savior, the Lord Jesus Christ, amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. SAM JOHNSON) come forward and lead the House in the Pledge of Allegiance.

Mr. SAM JOHNSON of Texas led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING CHAPLAIN MARK CAMPBELL

The SPEAKER pro tempore. Without objection, the gentleman from Alaska (Mr. YOUNG) is recognized for 1 minute.

There was no objection.

Mr. YOUNG of Alaska. Today, it is my great privilege to welcome Rev. Mark Campbell to the House of Representatives. Rev. Campbell and his wife, Shelley, are active duty in the United States Air Force, ministering to our brave men and women in uniform.

Rev. Campbell is currently the chaplain for the Office of the Secretary of Defense, Office of Military Community and Family Policy. He works as a consultant on religious affairs, reviews policy guidance, and facilitates support for chaplain and family support assistance programs at the State level.

Prior to serving as a chaplain in the Air Force, Rev. Campbell pastored the College Gate Baptist Church in Anchorage, Alaska. Since entering the active duty Air Force, Rev. Campbell has served at bases around the world. He is a shining example for those of us instructed to ''go into all the world and preach the good news to all creation.''

I thank Rev. Campbell for his prayers today and being here today to lead the invocation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 10 further requests for 1-minute speeches on each side of the aisle.

A COMMITMENT TO STATUTORY PAYGO

(Mr. KRATOVIL asked and was given permission to address the House for 1 minute.)

Mr. KRATOVIL. Madam Speaker, I rise today in support of the statutory PAYGO legislation passed by the House yesterday. My colleagues on the other side of the aisle are certainly correct that this legislation is not perfect. Of course, I'm finding in my first seven months here in Congress that no legislation we pass in this House is perfect. Such is the nature of legislating and the compromise that comes with it.

My colleagues on the other side of the aisle, however, in my view, are incorrect in that this legislation is not a positive step in restoring us to the financial discipline that led us to the large surpluses in the 1990s.

Statutory PAYGO holds the Federal Government to the simple, but important, principles that American families demand of themselves: you cannot spend money that you do not have, and when one part of your budget expands, another must tighten.

The passage of statutory PAYGO proves the House of Representatives can learn a lesson from the families we represent by ensuring that both new tax and entitlement legislation alike is paid for.

The large deficits we inherited as a result of the borrow-and-spend policies of the past have put pressure on funding for education, clean energy and

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other important investments. Our national priorities will no longer be held hostage to our lack of self-restraint when it comes to spending.

We must balance short-term deficit spending in order to pursue effective economic recovery with a commitment to restoring financial discipline in the long term.

This begins with yesterday's commitment to statutory PAYGO.

INACCURATE STATEMENTS BY PRESIDENT REGARDING HEALTH CARE

(Mr. BOEHNER asked and was given permission to address the House for 1 minute.)

Mr. BOEHNER. Madam Speaker, my colleagues, last night the President addressed our Nation about the issue of health care, and there were some statements made by the President last night that aren't quite accurate.

One, he said that we will keep government out of health care decisions. Now, if that's the case, I wonder why there was $200 million set aside in the stimulus bill earlier this year so that the government could do a comparative analysis to determine which treatment was most effective in terms of a potential cure for a disease. This is clearly going to give the government information that they believe is the best treatment when the doctors and their patients may not agree.

And secondly, I'd point out that if you look at an amendment that was offered in the Energy and Commerce Committee the other night, the amendment said real simple that no government bureaucrat will make any decisions or interfere with any decision between a doctor and their patient. And I would add that that amendment was rejected on a party-line vote.

Secondly, the President said if you like your current plan we will give you the option to keep it. I wish that were true. But as I noted the other day on the floor, under the ERISA provision, I believe that thousands of companies will drop their company health care plan because after 5 years it's going to have to be approved by the Department of Labor and the health care choices czar to ensure that the company plan meets certain Federal standards. I've got to tell you this is going to drive a lot of companies out of offering the insurance that people have today. They will have no option but to go to the government plan.

And thirdly, he said no plan will add to our deficit. Well, the Congressional Budget Office last Friday came out and said the plan that was being considered will add $239 billion to our deficit over the next 10 years. And if you look further at this plan, you will see that while the cost of the plan is $1.6 trillion, the tax increases don't go into effect until 2011, but the real cost of the plan doesn't begin to add up for about 5 years. And so when you get into the out years, beyond 10 years, you see these exploding deficits, because it's going to cost $200 to $300 billion a year more, over and above the tax increases already in this bill. At a time when we've got record deficits and record spending here in Washington, we don't need to be adding to the deficit.

And lastly, the President said Republicans want to kill health care reform and have not offered better ideas. I've got to tell you, earlier this year when I handed Speaker PELOSI the gavel, I said that when Republicans had to oppose our new President or our colleagues across the aisle, it was our obligation to say how we would do it better.

We had a better solution on the stimulus bill. We had a better solution on the budget. We believe that we had a better solution on the energy bill that was here last month. We have offered our better solution on health care. We outlined those in a letter to the President back in May when we asked for a meeting and got a nice, polite letter back from the President that said, Well, thank you for your ideas, but we'll see you at the end of the process.

Republicans have a better solution that won't put the government in charge of people's health care, that will make sure that we bring down the cost of health care for all Americans and ensure affordable access for all Americans.

PAY-AS-YOU-GO REQUIREMENTS WORK

(Mr. KLEIN of Florida asked and was given permission to address the House for 1 minute.)

Mr. KLEIN of Florida. Madam Speaker, yesterday this House passed legislation that will restore fiscal discipline by requiring the United States Government to only spend what it can truly afford. The Statutory Pay-As-You-Go Act will roll back deficits and require all new legislation which reduces revenues or expands spending to be paid for. This is a critical piece of common sense. At long last, Congress will be required to follow the policies that families in my district in south Florida stick by every day: only spend a dollar if you can save a dollar somewhere else.

It is clear that pay-as-you-go requirements work. The last time they were in place in Congress in the 1990s we saw budget surpluses. After they lapsed in 2002, the lack of fiscal discipline allowed deficits to balloon.

Fiscal responsibility is one of my personal core values. It is what my wife and I teach our children and should guide every decision we make in government.

This bill marks a turning point in the fiscal health of our Nation. It won't happen overnight, but starting today we will begin to cut our deficit and return to surpluses.

NOT MY COUNTRY

(Mr. FLEMING asked and was given permission to address the House for 1 minute.)

Mr. FLEMING. Madam Speaker, earlier this week four Members of the President's Cabinet, including Secretary Sebelius, came to my home State of Louisiana to build grassroots support for ObamaCare in the rural areas, but they found themselves defending the administration's broader effort to take over the Nation's health care system. To say they were greeted by skepticism would be an understatement.

The anger over the direction this country is moving was best expressed by a gentleman who told the group, Please carry a message to Mr. Obama, that it will be a cold day in hell before he socializes my country.

The administration and a small group of very liberal Democrats are intent on pushing through a government takeover of health care, even though more than half this country does not want it.

Democrats in this House are moving forward with a health care plan that will hurt the sacred relationship between Americans and their doctor, deny access to needed treatments, and place power in the hands of Washington bureaucrats. Why are you in such a rush? Are you afraid Americans will learn the truth this time and stop it?

AMERICA CAN NO LONGER AFFORD TO WAIT FOR HEALTH CARE REFORM

(Mr. BRALEY of Iowa asked and was given permission to address the House for 1 minute.)

Mr. BRALEY of Iowa. Madam Speaker, on Tuesday there was a long parade of my friends from the other side coming down here to the Well to talk about the problems with the Democratic health care bill. And you just heard the distinguished minority leader talking about the cost of this bill.

Well, this is a stark reality, America. America can no longer wait for health care reform. Every person in this country pays a hidden tax of $1,200 a year, every family in this country pays a hidden tax of $1,800 a year, to take care of people right now who don't have health insurance but still get health care.

That's the reality that we're dealing with, and that's why we are working hard to try to transform our health care delivery system.

And my friend from Louisiana who just spoke is a perfect example of what's wrong. Right now, we know that in our country the States that provide the highest quality of care to Medicare patients get paid the least, while the State of Louisiana spends more per Medicare patient than any other State and ranks 50th on Medicare quality of assessments.

That's why Democrats are leading the charge to change the way we transform our health care system.

SCRAP THIS BILL AND LET'S START OVER ON REAL HEALTH CARE REFORM

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Think about this concept of government-managed health care for just a minute. Imagine that the Federal Government told you you can have your house for free. That sounds good, right? Until they tell you that you have to live in government housing. Now what? How many Americans want to leave their homes for government subsidized housing?

Polls show that the more people learn about the government-controlled health plan, the less they support it.

Increasing the number of Americans who have health insurance is a laudable goal we all want to achieve, but paying $1.5 trillion to get part of the way, with a government-controlled plan that eliminates choice and stifles the doctor-patient relationship, that's not the answer.

Mr. President, scrap this bill and let's start over on real health care reform.

□ 1015

WE NEED REFORM

(Mr. INSLEE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. INSLEE. Madam Speaker, the keepers of the status quo on health care are simply wrong. It is unacceptable for Americans to have their wage increases swallowed up by health care costs.

Our medical costs are rising three times faster than our wages. It consumes twice as much of our economy as it did just 12 years ago. The status quo is unacceptable.

Now some of my colleagues want to defend the status quo, trying to scare Americans to think that we're going to deliver bad medical care. Let me ask them this: Is the medical care at the Mayo Clinic in Rochester, Minnesota, so bad? I don't think so.

Our bill, basically—and we are improving this bill as we speak—is going to provide the kind of care that Americans are getting at the Mayo Clinic. Because when our bill passes, it will in fact allow and inspire doctors to do what they do at the Mayo Clinic for half the price that Americans are paying for their medical care in Miami, Florida. Half the price at the Mayo Clinic for what Americans pay in medical care.

We need reform. We're going to pass it.

MAYO CLINIC OPPOSED HEALTH CARE BILL

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Madam Speaker, let me say this, that the Mayo Clinic opposes this health care bill because it's nonsense, it costs too much, and it's going to put America more in debt.

And that's just the way it is.

HEALTH INSURANCE REFORM MEANS STABILITY FOR EVERY AMERICAN

(Mr. CARNAHAN asked and was given permission to address the House for 1 minute.)

Mr. CARNAHAN. Those within and without health insurance share something in common: they both lack stability and security when it comes to coverage, cost, and quality of their health care.

Every day, Americans are forced into tough decisions and circumstances that lead them to lose their health care. As the President mentioned last night, on average, 14,000 Americans a day are losing their health care.

Health insurance reform means stable coverage that can't be taken away. If your spouse is laid off or changes jobs, you won't lose your coverage. If you or your family or coworker get sick, you won't pay more or lose your coverage.

With health insurance reform, no one is able to get between you and your doctor. It will keep government out of health care decisions, allowing you to keep the coverage you have today if you want it.

Stability has been missing from our health care system for decades. As we work to get our economy moving again, now is the time to fix it. The proposed health insurance reform bill builds upon what works and fixes what is broken.

My constituents strongly want, need, and deserve a more stable and secure health care system. And that's what we need to fight to do.

WE NEED TO SUPPORT, NOT TAX, SMALL BUSINESSES

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, small businesses face challenging economic threats. Those who can afford to are struggling to provide health care to their employees.

The last thing small businesses need—and we've had 2.6 million jobs lost since the new President came in office—are more mandates and tax hikes that will destroy jobs. Unfortunately, under their health care tax, Democrats are proposing just that.

They believe small businesses should abide by government mandates and provide health care that meets a bureaucratic code or suffer an 8 percent tax and fines up to $500,000. This is no way to treat the most prolific job-creating engine of our economy.

Republicans have solutions for affordable, accessible, and portable health care without tax hikes on families and small businesses. We reject the rationing of health care and government intrusion and propose flexibility for small businesses to band together for affordable health care.

Republicans have solutions that will empower individuals, not Big Government. We will promote new jobs.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

NEED FOR HEALTH CARE REFORM

(Mrs. DAHLKEMPER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. DAHLKEMPER. Madam Speaker, I rise today to talk about the need for health care reform in this country, reform that must ensure patients can choose their doctor, is portable, and gives stability to our citizens as they grow old, change jobs, and face health problems. It must protect those with preexisting conditions and address prevention.

I've received countless calls from constituents about the need to fix what is broken and protect what works in this health care system.

Last night, on this floor, I heard a colleague on the other side of the aisle say that all Americans have health care today, the emergency room. Well, tell that to my constituents like Carla, who called about her sister Edith, who's been without insurance since last September.

Edith is 49 years old and suffers from severe osteoarthritis. Injured at work, she had to change jobs because she was denied workmen's comp. And then, after she got a job that offered some coverage, she was laid off due to economic conditions.

Now unemployed, Edith is without health insurance, insurance she desperately needs to help cover her doctors visits and her prescriptions. Edith is a victim of a failed system.

Madam Speaker, we need health care reform in this country to ensure that Edith and countless others are not left behind.

WE THINK YOU'RE SMART ENOUGH WHEN YOU HAVE THE RIGHT INFORMATION

(Mr. NEUGEBAUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NEUGEBAUER. Madam Speaker, I'm very disappointed because the Democrats and the administration don't think the American people are either smart enough or they don't trust them to make their own decisions.

The Democrats and the administration have introduced a reform for financial markets that is going to start telling the American people, Hey, you're not smart enough or we don't trust you to determine what kind of

credit card you should have. We don't trust you, we don't think you're smart enough to determine what kind of mortgage you should take out.

We don't trust you, we don't think you're smart enough to determine what kind of car loan you should have. We don't trust you and we don't think you're smart enough to determine what kind of checking account that you should have.

Now we're going to tell the American people we don't think you're smart enough or don't trust you to pick your own health care.

You know, the American people are getting kind of tired of the Democrats telling them that they don't trust them or they don't think they're smart enough.

Madam Speaker, the Republicans have introduced a financial reform that says to the American people: we think you're smart enough when have you the right information.

AMERICAN RECOVERY AND REINVESTMENT ACT

(Ms. HIRONO asked and was given permission to address the House for 1 minute.)

Ms. HIRONO. Rather than emulate the laissez faire strategy of the previous administration, President Obama signed the American Recovery and Reinvestment Act less than a month after taking office. Now, just 5 months after its passage, some on the other side of the aisle are proclaiming it a failure.

In January 2009, before passage of the Recovery Act, the economy lost 741,000 jobs, foreclosures were at record highs, and the economic growth rate had hit negative 6.3 percent. Some $10 trillion in wealth had been lost in the stock market.

The Recovery Act provided our States with vital funds, allowing thousands of teachers, law enforcement officials, and firefighters to stay on the job, to educate our children, and to protect our public. To call this a failure is putting rhetoric over people.

More than $20 billion has been made available to fund over 6,000 shovel-ready transportation construction projects, over 2,500 of which are already under way.

The Recovery Act is not a cure-all to our economy's problems, but it has and will continue to make a difference for the better.

MYTH VERSUS REALITY ON HEALTH CARE

(Mr. SMITH of Nebraska asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Nebraska. Last night, President Obama held a prime time press conference in which he repeated many of the health care claims that are making their way around Capitol Hill. But what are the myths versus the realities?

Some even claim health care reform will not add to our deficit over the next decade. However, the nonpartisan Congressional Budget Office has released its cost estimate on the House health care legislation, showing it will increase the Federal deficit by $239 billion over the next 10 years.

Another claim is that no one will lose health insurance they have right now. This defies reality, Madam Speaker. According to an independent study, 114 million Americans will be forced out of their current health care coverage.

Madam Speaker, it's simple: Washington-run health care will mean more deficits, more debt, and more government interference in our lives.

AMERICAN RED CROSS REAL HERO AWARD

(Mr. TEAGUE asked and was given permission to address the House for 1 minute.)

Mr. TEAGUE. Madam Speaker, I rise today to honor an exceptional constituent from my district, Mr. Billy Jack Miller of Elephant Butte, New Mexico, who was awarded the 2009 American Red Cross Real Hero Award.

This summer, Billy Jack was presented the Good Samaritan Award for rescuing an individual from drowning in Elephant Butte Lake, where he has operated a local fishing guide service for many years. The man he saved fell into the lake and became trapped between the dock and a boat.

The Good Samaritan Award honors outstanding individuals who exemplify the spirit of heroism and humanitarianism at a distinguished level and a commitment to improving the lives of others. Billy Jack embodies this achievement.

Over the years, working on the water, he has developed a knack for spotting fellow boaters in distress and is always there to lend a helping hand.

I'm proud on the occasion of this preeminent award to have the opportunity to commend the work of Billy Jack Miller, a great citizen of Elephant Butte, New Mexico. It is my privilege to honor Mr. Miller for his work and dedication.

CONSUMER FINANCE PROTECTION AGENCY

(Mr. BACHUS asked and was given permission to address the House for 1 minute.)

Mr. BACHUS. Madam Speaker, I received a letter yesterday from a lady, an officer in a small community bank in Alabama. I wanted to share what she said with my colleagues.

She expresses her concerns that many community bankers are expressing about the legislation under consideration by the House Financial Services Committee to create a new government bureaucracy, otherwise known as the Consumer Finance Protection Agency.

Here's what she says: I strongly support consumer protections. In fact, my bank's competitive edge rests with our customers' implicit trust that we will deal with them fairly and honestly when they visit my bank with their best interests in mind. Don't take that ability away from me to meet their unique needs.

She points out that there are countless examples of local bankers offering nonstandard loan products to consumers and customers in an effort to meet their unique needs—not to victimize them, but to give them a product that fits their purpose.

Under the proposed protection agency, however, community bankers ''would have a much harder time helping their customers. They'd have to go through all sorts of regulatory hurdles.''

WE ALL WIN IN HEALTH CARE REFORM

(Mr. KAGEN asked and was given permission to address the House for 1 minute.)

Mr. KAGEN. Madam Speaker, I have some excellent news for the people of northeast Wisconsin, people like Mike up in Marinette, Jenny in Appleton, and Jeff in Green Bay: access to affordable health care will be enacted this year by this Congress. After all, how can we continue the losing ways of the past, where discrimination against citizens due to preexisting conditions was allowed to take place.

You're going to hear arguments from one side and the other. But we stand on the side of the American people who understand this: There shall be no discrimination to any citizen due to preexisting medical conditions. After all, we don't discriminate on the basis of the color of your skin. What about the chemistry of your skin?

The bill that's moving forward in this House will guarantee other things as well. It will guarantee small businesses will be able to reduce their costs for health care and allow them to employ more people and stimulate our economy at the greatest time of need.

□ 1030

NEW MANDATES FOR ABORTION COVERAGE IN EVERY INSURANCE PLAN

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Madam Speaker, everywhere I go people tell me they're worried about the direction our country is headed.

So far in this Congress, all we've seen are bailouts and government takeovers. We've taken over or nationalized huge sectors of our economy. We've nationalized the banking industry and the financial sector. We've nationalized the home mortgage industry. We've

taken over the auto companies. We've nationalized the energy sector with cap-and-trade.

And now our friends on the other side want to nationalize the health care sector, 17 percent of our economy, a government takeover with new government mandates. And one of those hidden mandates is for abortion coverage in every insurance plan, public or private, in America.

At a time when the number of abortions is declining, doctors performing abortions are declining, the number of abortion clinics is declining, the Congress and White House want to mandate abortion coverage in every insurance plan, public or private; another bailout in this bill, this one for the abortion industry.

What would the result be? Less jobs, more taxes, massive government spending, and a mountain of debt on our kids and grandkids.

THE TIME IS NOW TO ENACT A HEALTH CARE PLAN FOR ALL AMERICANS

(Mr. ELLISON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ELLISON. Madam Speaker, Martin Luther King, Jr., spoke of the fierce urgency of now. He talked about the fact that you cannot set a deadline or timeline on somebody else's freedom. Well, there's another civil rights movement going on today in America, and that is the right for health care.

Health care is what we need now, and we cannot delay. I urge my colleagues to come together and pass a health care reform bill before we go out for the August recess because people absolutely need it, people who are fearing being dropped or put off for preexisting conditions, people being subject to discrimination because of their age or their gender.

We've got to stop this. We have got to make sure that a caring Nation cares for the health of its people. The time is now. We cannot delay. We've had enough time, Madam Speaker.

Six decades America has debated about what to fix about our broken health care system. We've done 45 hours of markups, 79 House hearings, 215 pages of bills and work to make sure that we have every input and every point of view shared.

The time is now, Madam Speaker.

LET'S GET A BIPARTISAN COMPROMISE ON HEALTH CARE REFORM

(Mr. ROE of Tennessee asked and was given permission to address the House for 1 minute.)

Mr. ROE of Tennessee. Madam Speaker, last night President Obama addressed the American public and urged Congress to pass health care reform. As a physician who has seen the shortcomings of our system, I am glad he strongly urges reform. I want to correct something he said about why Republicans oppose this plan and support other measures.

First, he said a public plan was needed to keep insurance companies honest. Republicans don't oppose insurance reform. We wholeheartedly embrace it. We oppose the public plan because it's a backhanded attempt at moving towards a government-run system where care is provided not because it's the best but because it costs the least or, worse, it's rationed.

Second, he said the wealthiest Americans should shoulder the burden for everyone's health care with a surtax. What he didn't say is that those same wealthy Americans are many of the same people we're relying on to create jobs and help reduce the staggering unemployment rate. You can't have it both ways. We can't dramatically increase taxes on the wealthiest Americans to some of the highest taxes in the world and then turn around and expect job creation.

We support ensuring patients can get the care they need from their physician, reforming the insurance industry, making health care more affordable through cost containment and tax credits. Let's get these ideas, sit down and hammer out a bipartisan compromise.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. PRICE of Georgia. Madam Speaker, pursuant to clause 2(a)(1) of rule IX, I hereby notify the House of my intention to offer a resolution as a question of the privileges of the House.

The form of my resolution is as follows:

Whereas the gentleman from Georgia, Mr. Price, submitted an amendment to the Committee on Rules to H.R. 3288, the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010;

Whereas the said gentleman's amendment would have required that none of the funds made available in this Act be used to establish, issue, implement, administer, or enforce any prohibition or restriction on the otherwise lawful possession or use of firearms in federally assisted housing;

Whereas the Second Amendment of the United States constitution guarantees that ''the right of the people to keep and bear Arms, shall not be infringed'';

Whereas the Second Amendment applies equally to all Americans, regardless of who owns or pays for their housing;

Whereas the gentleman's amendment complied with all applicable Rules of the House for amendments to appropriations measures and would have been in order under an open amendment process, but regrettably the House Democratic leadership has dramatically and historically reduced the opportunity for open debate on this Floor; and

Whereas the Speaker, Mrs. Pelosi, the Democrat leadership, and the chairman of the Committee on Appropriations, Mr. Obey, prevented the House from voting on the amendment by excluding it from the list of amendments made in order under the rule for the bill: Now, therefore, be it

Resolved, That H. Res. 669, the rule to accompany H.R. 3288, be amended to allow the gentleman from Georgia's amendment be considered and voted on in the House.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Georgia will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. HENSARLING. Madam Speaker, pursuant to clause 2(a)(1) of rule IX, I hereby notify the House of my intention to offer a resolution as a question of the privileges of the House.

The form of my resolution is as follows:

Whereas the gentleman from Texas, Mr. Hensarling—along with the gentleman from Texas, Mr. Conaway, the gentleman from Georgia, Mr. Gingrey, and the gentlewoman from Tennessee, Mrs. Blackburn—submitted an amendment to the Committee on Rules to H.R. 3288, the Transportation, and Housing and Urban Development Appropriations Act;

Whereas the said gentleman's amendment would have encouraged the development and use of alternative fuels by the federal government from resources found abundantly in the United States and Canada such as oil sands and oil shale, furthering our ability to become more energy independent, reducing the federal government's energy costs borne by the American taxpayer;

Whereas, this is especially important at a time of a record deficit that has reached $1 trillion for the first time in American history and a record debt that will be tripled in 10 years;

Whereas, the said amendment could help in the creation of desperately needed jobs in an economy where the unemployment rate is 9.5%—the highest unemployment rate in 26 years and climbing—and 2.6 million people have lost their job since February 2009;

Whereas, when campaigning for the presidency, then-Senator Obama said that ''under my plan of a cap and trade system, electricity rates would necessarily sky rocket.'';

Whereas, on June, 26, 2009, the Democratic Majority passed such legislation in H.R. 2454, a national energy tax also known as cap and trade, that experts have estimated will result in American families paying anywhere from $1,500 to $3,000 annually in additional energy costs;

Whereas, on December 6, 2006, then-Minority Leader Nancy Pelosi said, ''[W]e promised the American people that we would have the most honest and open government and we will.'';

Whereas, according to then-Minority Leader Nancy Pelosi's New Direction for America, ''Bills should generally come to the floor

under a procedure that allows open, full, and fair debate consisting of a full amendment process that grants the Minority the right to offer its alternatives, including a substitute.'';

Whereas a similar amendment was adopted by the House in 2008 during consideration of H.R. 6599, the Military Construction and Veterans Affairs Appropriations Act, 2009 on a bipartisan vote;

Whereas the gentleman's amendment complied with all applicable Rules of the House for amendments to appropriations measures and would have been in order under an open amendment process, but regrettably the House Democratic leadership has dramatically breached decades of House precedent and historically reduced the opportunity for open debate on this Floor; and

Whereas the Speaker, Mrs. Pelosi, the Democratic leadership, and the chairman of the Committee on Appropriations, Mr. Obey, prevented the House from voting on the amendment by excluding it from the list of amendments made in order under the rule for the bill: Now, therefore, be it

Resolved, That H. Res. 669, the rule to accompany H.R. 3288, be amended to allow the gentleman from Texas' amendment be considered and voted on in the House.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Texas will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. BROUN of Georgia. Madam Speaker, pursuant to clause 2(a)(1) of rule IX, I hereby notify the House of my intention to offer a resolution as to the question of privileges of the House.

The form of my resolution is as follows:

Whereas the gentleman from Georgia, Mr. BROUN submitted an amendment to the Committee on Rules to H.R. 3288, the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010;

Whereas the said gentleman's amendment would have required that none of the funds made available in this Act be used for bike paths;

Whereas transportation appropriations have previously been used to build and repair bike paths;

Whereas the construction and repair of bike paths is not a legitimate function of the federal government, since they do not contribute to interstate transportation or interstate commerce;

Whereas the gentleman's amendment complied with all applicable Rules of the House for amendments to appropriations measures and would have been in order under an open amendment process, but regrettably the House Democratic leadership has dramatically and historically reduced the opportunity for open debate on this Floor; and

Whereas the Speaker, Mrs. PELOSI, the Democratic leadership, and the chairman of the Committee on Appropriations, Mr. OBEY, prevented the House from voting on the amendment by excluding it from the list of amendments made in order under the rule for the bill: Now, therefore, be it

Resolved, That H. Res. 669, the rule to accompany H.R. 3288, be amended to allow the gentleman from Georgia's amendment be considered and voted on in the House.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Georgia will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. TIAHRT. Madam Speaker, pursuant to clause 2(a)(1) of rule IX, I hereby notify the House of my intention to offer a resolution as a question of privilege of the House.

The form of my resolution is as follows:

Whereas the gentleman from Kansas, Mr. TIAHRT submitted an amendment to the Committee on Rules to H.R. 3288, Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010;

Whereas the said gentleman's amendment would have prohibited salaries and expenses from being paid to individuals who obligate money under the stimulus FHWA program for road signs that are placed at construction sites to alert motorists that the project is being paid for by stimulus money;

Whereas the gentleman's amendment complied with all applicable Rules of the House for amendments to appropriations measures and would have been in order under an open amendment process, but regrettably the House Democratic leadership has dramatically and historically reduced the opportunity for free speech on this Floor; and,

Whereas the Speaker, Mrs. PELOSI, the Democratic leadership, and the chairman of the Committee on Appropriations, Mr. OBEY, prevented the House from voting on the amendment by excluding it from the list of amendments made in order under the rule for the bill: Now, therefore, be it

Resolved, That H. Res. 669, the rule to accompany H.R. 3288, be amended to allow the gentleman from Kansas's amendment be considered and voted on in the House.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Kansas will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

□ 1045

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mrs. BACHMANN. Madam Speaker, pursuant to clause 2(a)(1) of rule IX, I hereby notify the House of my intention to offer a resolution as a question of the privileges of the House.

The form of my resolution is as follows:

Whereas the gentlewoman from Minnesota, Mrs. Bachmann submitted an amendment to the Committee on Rules to H.R. 3288, the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010;

Whereas the said gentlewoman's amendment would have protected American taxpayers by prohibiting funds made available in the Act from being used to fund any organization that has been indicted for violations of state or federal election laws—or that employs people who have—such as the Association of Community Organizations for Reform Now (ACORN);

Whereas a similar provision was adopted by the House in 2008 during consideration of H.R. 3221, the Housing and Economic Recovery Act of 2008, and became law on June 30, 2008, but does not currently apply to all programs funded in the underlying bill;

Whereas the gentlewoman's amendment complied with all applicable Rules of the House for amendments to appropriations measures and would have been in order under an open amendment process, but regrettably the House Democratic leadership has dramatically and historically reduced the opportunity to protect American taxpayers on this Floor; and

Whereas the Speaker, Mrs. Pelosi, the Democratic leadership, and the chairman of the Committee on Appropriations, Mr. Obey, prevented the House from voting on the amendment by excluding it from the list of amendments made in order under the rule for the bill: Now, therefore, be it

Resolved, That H. Res. 669, the rule to accompany H.R. 3288, be amended to allow the gentlewoman from Minnesota's amendment be considered and voted on in the House.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from Minnesota will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

PROVIDING FOR CONSIDERATION OF H.R. 3288, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Mr. ARCURI. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 669 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 669

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3288) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read through page 160, line 6. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. Notwithstanding clause 11 of rule XVIII, except as provided in section 2, no amendment shall be in order except: (1) the amendments printed in part A of the report of the Committee on Rules accompanying this resolution; (2) not to exceed seven of the amendments printed in part B of the report of the Committee on Rules if offered by Representative Flake of Arizona or his designee; and (3) not to exceed two of the amendments printed in part C of the report of the Committee on Rules if offered by Representative Hensarling of Texas or his designee. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The proponent of any such amendment may modify its amendatory instructions before the question is put thereon. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. In the case of sundry amendments reported from the Committee, the question of their adoption shall be put to the House en gros and without division of the question. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. After disposition of the amendments specified in the first section of this resolution, the chair and ranking minority member of the Committee on Appropriations or their designees each may offer one pro forma amendment to the bill for the purpose of debate, which shall be controlled by the proponent.

SEC. 3. The Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Appropriations or his designee. The Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII).

SEC. 4. During consideration of H.R. 3288, the Chair may reduce to two minutes the minimum time for electronic voting under clause 6 of rule XVIII and clauses 8 and 9 of rule XX.

POINT OF ORDER

Mr. FLAKE. Madam Speaker, I raise a point of order because the resolution violates section 426(a) of the Congressional Budget Act. The resolution contains a waiver against all points of order in the Congressional Budget Act which causes a violation of rule 426(a).

The SPEAKER pro tempore. The gentleman from Arizona makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974. The gentleman has met the threshold burden under the rule. The gentleman from Arizona and a Member opposed each will control 10 minutes of debate on the question of consideration.

After that debate, the Chair will put the question of consideration.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Again, I rise today not because this bill may or may not violate the Unfunded Mandates Act—it may or it may not. The question here is why, again, and we're near the end of the appropriations cycle and we've been living under what is the equivalent of legislative martial law, where the majority has stated that they cannot allow appropriation bills to come to the floor because we have to get through this process. We have to move through it. The Appropriations Committee chairman said, There is a limited numbers of hours between now and the time we recess. If we want to get our work done, we have to limit the debate time that we spend on these bills.

Now, appropriating is one of the most—if not the most important—thing that Congress does. We maintain the power of the purse under article 1. This is our responsibility. And to say that we've got to move through it quickly and so we have to deny the minority party the ability to offer the amendments it wants to offer simply because we have to make the trains run on time here.

When the Republicans were in the majority, one Member said the other day that he was in the chair for over 3 days on the interior bill simply because Members on the majority side and the minority side had a lot of amendments they wanted to offer—3 days on the interior bill. Here we're allowing just an afternoon on the THUD bill. We're allowing just less than a day on the defense bill next week that contains more than a thousand earmarks that haven't been vetted by the Appropriations Committee, 540 of which are no-bid contracts to private companies. And we aren't allowing probably but a few, if history holds, amendments to that bill. And they will likely be amendments that the majority chooses.

Last week, on a previous appropriation bill, I asked for unanimous consent 16 times on 16 amendments that I had to allow us to substitute an amendment that one of my colleagues had offered that was not allowed.

So making the point that this isn't an issue of time; the time constraints were already set. We simply wanted to substitute amendments that we thought were maybe more important, that Members were denied the ability to offer, and we were rejected. Objection was raised 16 times to unanimous consent requests simply to substitute amendments. So we know what this is about. It's not about an issue of time, although that is a sorry excuse, frankly. When appropriating dollars is the most important thing we do here, we shouldn't limit ourselves to just a few days to get the appropriations process done on the floor.

But even if you accept that, the minority party simply wanted to offer the amendments it wanted to offer, not the ones that the majority party had chosen for the minority party to offer and were denied 16 times. And here again today we're going to be discussing a bill. More than 70 amendments were offered to the Rules Committee. Only, I believe, 24 were ruled in order. We just had four or five Members offer privileged resolutions to make the point that their amendments, which were germane, which should have been allowed, were not allowed by the minority party.

Madam Speaker, this isn't the way this House ought to be run. We're breaking from tradition here with the appropriations process, and at a time when we need more than ever to scrub these appropriations bills and make sure we're not spending money that we shouldn't be spending. We have a deficit that will near $2 trillion this year. When I came to Congress just 8 years ago, that was almost the entire Federal budget. Now our budget deficit will equal that amount, and yet we're throwing appropriation bills at the floor and saying got to get them done in 1 day and not allow the minority party to offer the amendments that it would like to offer.

I would submit that while the majority party may think that they can get away with it because process arguments don't mean much outside the Beltway, I can see that. But a bad process begets bad policy, and sooner or later, it will come back to bite. And it just doesn't come back to bite the majority party; it comes back to haunt this institution. And institutionally, we ought to be better. We ought to have more regard for this institution than to simply break with precedent

like this and deny the minority party the ability to offer the amendments I would like to offer.

Mr. ARCURI. Madam Speaker, I rise in opposition.

The SPEAKER pro tempore. The gentleman from New York is recognized for 10 minutes.

Mr. ARCURI. I yield myself such time as I may consume.

Madam Speaker, this point of order is not about anything other than delaying the passage of this very important bill. And I would say to my friend from Arizona, that he, himself, has probably received more amendments from the Rules Committee than the rest of Congress put together. So he certainly has had an opportunity to offer many amendments with respect to different earmarks that he feels should be removed from the bill.

So I would submit that this point of order is really about delaying the passage of what is a critically important bill, and that is the transportation appropriation bill, a bill that talks about things like funding roads so that we have safe highways for our families to travel on, things like high-speed rail so we can bring people and goods from point A to point B as quickly as possible. That's what we're here to discuss today. That's why the passage, the consideration of this rule and the passage of this rule, is so important, so we may consider this critically important bill.

□ 1100

I hope my colleagues will vote ''yes'' so we can consider this legislation on its merits and not stop it by virtue of a procedural motion. Those who oppose the bill can vote against the final passage. We must consider this rule, and we must pass this legislation today.

I reserve the balance of my time.

Mr. FLAKE. I yield myself the balance of my time to answer the gentleman.

I want to make the point that I'm not trying to delay the process. I could call a vote and waste 30 minutes. I'm not going to. I know the outcome here. That's not the point. The gentleman mentioned that I've been given a lot of amendments. I have, but it is only because the majority knows that they can beat them. And when I've offered to substitute some of my colleagues' amendments that were germane that simply weren't ruled in order, objection was raised 16 times to do that. So this isn't about time. This is about the majority wanting only the amendments that it wants to see on the floor.

I yield back the balance of my time.

Mr. ARCURI. I yield back the balance of my time, and urge a ''yes'' vote on the rule.

The SPEAKER pro tempore. All time for debate has expired.

The question is, Will the House now consider the resolution?

The question of consideration was decided in the affirmative.

The SPEAKER pro tempore. The gentleman from New York is recognized for 1 hour.

Mr. ARCURI. Madam Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART). All time yielded during consideration of the rule is for the purpose of debate only.

GENERAL LEAVE

Mr. ARCURI. I ask unanimous consent that all Members be given 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ARCURI. I yield myself such time as I may consume.

I rise today as a member of the Rules Committee and also as a member of the Transportation and Infrastructure Committee in strong support of H.R. 3288, the Fiscal Year 2010 Transportation HUD Appropriations Act. H. Res. 669 provides for consideration of H.R. 3288 under a structured rule. The rule provides 1 hour of general debate controlled by the Committee on Appropriations.

The rule makes in order a total of 23 amendments, each of which is debatable for 10 minutes. The rule also provides one motion to recommit with or without instructions.

Madam Speaker, housing and transportation are two areas that must be priorities for Congress, especially when the economy slows, because we get a double return on our investment. As we have seen with the recovery bill, investment in infrastructure not only generates economic recovery by putting people back to work, but those construction jobs strengthen our transportation system and improve our housing stock. We not only put people to work, but we also get something in the long run. We get better roads. We get safer transportation. We get better housing. That is critically important.

Some of the members of the Transportation and Infrastructure Committee would have liked to have seen a greater percentage of the funding in the Recovery Act go towards infrastructure spending and, indeed, we have seen that of all the funding included in that bill the transportation funding has resulted in saving and creating jobs faster than even we expected.

The Transportation-HUD Appropriations bill continues this investment and our commitment to utilize all of the tools available to continue this economic recovery that has already begun to take hold. Included in H.R. 3288 is $41.1 billion to improve and repair our Nation's aging highway infrastructure. The bill includes more than $10 billion for Federal Transit Administration, which will help transit agencies meet increased public demand for mass transit. This not only provides more transportation options to Americans during tough economic times, it also decreases traffic congestion, reduces our dependence on foreign oil, and reduces greenhouse gas emissions.

This bill adds another $4 billion to develop and construct a national system of high-speed rail, building on the commitment we began with the recovery bill. This is the first major investment in transportation since the 1960s. High-speed rail moves more people at a lower cost, at a faster speed and with less impact on the environment than does road transportation. We have developed the most advanced highway and aviation systems in the world over the last 60 years, but in comparison to the train system in other nations such as Germany, France and even China, they have clearly exceeded what we have done here in America.

Speaking from the experience of my own delegation, the Members that represent upstate New York, we are committed to work in a bipartisan effort to make high-speed rail a reality across upstate New York. We have done so because we realize the numerous benefits that this improvement in our transportation system will have as a result of high-speed rail, not only for upstate New York, but for the Nation as a whole.

Just as we saw over a century ago with the construction of the Erie Canal, streamlining the movement of people and goods along the corridor between the eastern seaboard and Chicago, the freight gateway to the west coast, will benefit the cities at both ends and also the cities across the country through which the line will run.

Madam Speaker, this is just a sampling of the important programs and initiatives that the Transportation-HUD Appropriations Act will fund in fiscal year 2010. I urge all my colleagues to support this rule and the underlying bill.

I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I would like to thank my friend, the gentleman from New York (Mr. ARCURI), for the time, and I yield myself such time as I may consume. Last month, in the middle of the night, the majority called an emergency meeting of the Rules Committee in order to withdraw a modified open rule which had previously been passed by the committee regarding the Commerce, Justice and Science Appropriations bill and to replace it with a draconian rule that severely limited the ability of Members from both sides of the aisle to bring amendments to the floor for debate and a vote.

That unnecessary and unfortunate procedure began the process of overturning over two centuries of precedent of open debate on appropriations bills in this House. Historically, appropriations bills, such as the one being brought to the floor today, have come to the floor under an open rule, a rule that allows any Member, from either side of the aisle, to offer amendments if the amendments are germane. Now the majority has unwisely ended that hallowed tradition and is using the Rules Committee to repress the ability of Members to offer amendments.

Each and every appropriations bill considered since that late night, or should I say early morning, meeting has restricted the prerogative of Members to offer amendments. Instead, the Speaker and the chairman of the Appropriations Committee, through the majority on the Rules Committee, decide who will offer amendments, and they decide exactly who shapes the way Congress spends the taxpayers' dollars. As of the last count, that doctrine, the Pelosi-Obey doctrine, has blocked over 600 amendments. Six hundred times already Members on both sides of the aisle in this House have been denied the ability to represent their constituents on appropriations bills.

The new doctrine and process not only breaks two centuries of tradition and precedent in the House; it also runs contrary to one of the central tenets of the Democrats' election campaign. During the 2006 campaign, they claimed that they would run Congress in a more open and bipartisan manner. On December 6 of that year, Speaker PELOSI reiterated her campaign promise. She said, ''We promised the American people that we would have the most honest and open government, and we will.'' But here we are today, with Congress for the first time in history completely shutting down the previously open appropriations process.

When the process was first closed down last month, I explained to the majority that they should be cognizant of the repercussions of overturning two centuries of precedent. They did not listen. They have continued to bring to this floor restrictive rule after restrictive rule, 10 so far. Although I feel that the majority has caused lasting damage to the traditions of the House, there's still a chance for the majority to return to the long-held tradition of fairness and openness of debate on appropriations bills. So I urge my colleagues to oppose this rule so that we can return to regular order, to restore the long-held tradition of the House of openness on appropriations bills.

I once again remind my colleagues that majorities are never eternal. The precedent being set now may be used by majorities in the future. And this is not the appropriate way to run the House. It is unnecessary. It is inappropriate. It is unfair. I think it's time, Madam Speaker, that we overturn that doctrine, the Pelosi-Obey doctrine, and restore the tradition of openness in the appropriations process.

And I reserve the balance of my time.

Mr. ARCURI. Madam Speaker, I yield 3 minutes to the gentleman from Colorado, one of the new distinguished members of the Rules Committee, Mr. POLIS.

Mr. POLIS. I thank my colleague, Mr. ARCURI, for the time, and I rise today, Madam Speaker, in strong support of this rule and the underlying bill. Madam Speaker, right now, our Nation's transportation infrastructure continues to fight a losing battle with our growing needs, shrinking revenues and a dwindling highway trust fund.

Meanwhile, our public housing assistance and community support programs feel the strain of additional demand, more and more families and individuals across our country who face layoffs, foreclosures and the economic waves that have rippled through nearly every sector of our economy in every State in our Nation.

Madam Speaker, this bill will help to address the challenges of those who are particularly hard hit in a responsible and thorough manner, and I thank Subcommittee Chair OLVER and Chairman OBEY and their staffs for a job well done. This bill provides vitally needed funding for transit through investment in the Federal Transit Administration, including commuter rail systems and a focus on multi-modal transportation planning.

This bill also reflects our growing understanding of where our transportation system needs to go in the future and how to get there. We understand that the sooner we address things like vehicle miles traveled, congestion, smart growth and complete streets, the sooner we will see the environmental, health and economic benefits that the status quo is currently lacking.

Easing congestion is crucial for my district in Colorado. Even the smallest amount of congestion means major economic impacts as travelers and companies moving goods and people on Highway 70 and Highway 36 sit idle. These highways are two of the main arteries in my district that connect nearly every community and where investment in infrastructure has not kept pace with growth.

Highway 70 is the lifeblood of our mountain communities in Colorado. This bill will help ease congestion in places like Eagle, a growing community in the mountains where, until a few years ago, rush hour was like a long lift line in Vail or too many rafts on the Colorado River. But now, this is a community that comes to a halt with rush-hour traffic that combines with regional airport traffic to yield real implications.

We all know that our Nation's housing market has been at the center of our economic troubles and that our economic troubles have only fed a cycle of more layoffs and foreclosures. These programs in this bill administered by HUD allow nonprofit organizations such as Thistle Community Housing in my district to make housing affordable for all families. Through community development grants, Thistle leverages Federal dollars with private philanthropy and local funds to not only provide affordable rental housing, but also to make the dream of homeownership possible for my constituents even of modest needs.

Make no mistake, however, this is not merely a housing subsidy program. It also promotes personal responsibility by requiring enrollment in financial literacy and job training programs. In our economic climate, these kinds of training programs are critical. To help our recovery, this bill extends the loan limits enacted in the American Recovery and Reinvestment Act through 2010 and provides for continuation of the Home Equity Conversion Mortgage program.

Madam Speaker, this bill is critical for our country because it is important for our economy, our environment, and it builds and repairs the physical infrastructure of our Nation. I urge swift passage of the rule and the bill.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, it is a pleasure to yield 4 minutes to my friend from Iowa (Mr. LATHAM).

Mr. LATHAM. Madam Speaker, I thank the gentleman from Florida for the time.

I rise in opposition to this rule because I do not want to lend my support to a politically cooked process that freezes the American people out of having their say through a constructive amendment process. I know the large number of the majority Members do not want this process either for the same reasons that I don't. The majority may think that they are freezing out the minority in these rules, and they are; but more importantly, they are freezing out their own constituents and all of our constituents.

□ 1115

The truth of the matter is that these closed and structured rules are designed to avoid the tough votes, and those familiar with the situation know that. On the surface, the rules may be promoted as a means of moving the process along in a timely fashion, and there may be some tone of truth to that; however, the real issue is the difficult votes, and that's sad, because that's what we get paid to do here. We don't get paid to duck tough votes around here.

I have to wonder sometimes if our predecessors from both parties are not looking down from the big chamber in the sky and wondering what in God's name are we doing to the process that they left us. One thing we know we're doing is cheating the American people.

The administration says that this bill is about making long-term infrastructure investments. If that is true, then our investors, or our constituents, should have a say-so in how those investments are made. Right now they have no such say, and that's a shame.

As an example, I had an amendment to move $3 billion in ''parked'' money in a high-speed rail appropriation to be put—to use in the Highway Trust Fund where we desperately need those funds. The administration wants us to bail out the Highway Trust Fund, for those of you who don't know that. And I want to note, too, that in the stimulus package there is $8 billion sitting there for high-speed rail, none of which will be spent this year.

Also, there was an agreement between the administration and Congress

saying that with that $8 billion we would appropriate $1 billion a year for the next 5 years. My amendment would have honored the administration's request in that agreement, leaving $1 billion in the high-speed rail account. My amendment was not made in order. That $3 billion could have been used as an investment in my State and all of your States in a much-needed investment in the highway infrastructure that would actually create jobs now.

For some, however, that would have been a tough vote, because even though that money won't be spent on high-speed rail for a couple of years, at least, a vote to transfer to the trust fund, where it's needed today, would be a vote to remove it from the rapid trail category now, a vote that would not have been politically fashionable for some in this Chamber, and that's the reason it's not in order.

The net result is that an important investment amendment will now not be put to the investors, the taxpayers. Instead, we will institutionally duck the vote and, thereby, rob the investors of their say-so in this worthwhile investment.

I want to say, Madam Speaker, that this bill could have been a bipartisan bill. Chairman OLVER and I worked together all through this process. We had hearings. We worked in a constructive way.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LINCOLN DIAZ-BALART of Florida. I yield the gentleman an additional minute.

Mr. LATHAM. And I think it is an outrage and an insult to Chairman OLVER for the Rules Committee to say that you're questioning his competence and his ability to handle issues involved in this bill.

This could have been a bipartisan process. This could have been something that everyone in this House could support if, in fact, we had a process that respected the chairman, his abilities, his competence, and respected the interests of all of our constituents.

To close out people, our constituents, the people who own these investments, is simply wrong, and I ask everyone to please vote against this outrageous rule and respect the chairman, respect what the rights should be in this House of Representatives and have been since the beginning. And I would encourage everyone to vote against this outrageous rule.

Mr. ARCURI. Madam Speaker, before I recognize my colleague from New York, I would just like to make a point, and that is, throughout history, we have seen vision on the part of people, and it's that vision that brought Columbus to the New World. It's that vision that built the Panama Canal. It's the vision that built the Erie Canal. It's the vision in the Eisenhower Highway System. It's the vision that brings us and moves us forward.

This bill contains that vision. It has money in it for high-speed rail. That, I would submit, is our vision for the future. That's the kind of vision that people sent us here to Congress to continue, and it's that kind of vision that this bill contains.

With that, Madam Speaker, I would yield 3 minutes to one of the leaders in transportation in this country, the gentleman from New York (Mr. NADLER).

Mr. NADLER of New York. I rise in support of the rule for the Transportation-HUD Appropriations Act, and I think that the transportation appropriation in this bill is excellent, but I'm going to focus on a different aspect of it.

I want to, in particular, thank Chairman OLVER for securing more than $18 billion for tenant-based rental assistance and $8.7 billion for project-based rental assistance. This represents about $3.7 billion more than last year. This should be enough to fully fund the renewal of section 8 tenant-based and project-based rental assistance and provide $75 million for about 10,000 new incremental tenant-based vouchers for homeless veterans.

The bill also has $350 million for the Housing for People with AIDS program, also known as HOPWA, $50 million more than was appropriated last year. This is a great victory for these programs, and I applaud the chairman and the committee for their efforts to secure these badly needed resources.

I also want to thank all of my colleagues who signed on to my letter to the committee in support of increases for section 8 housing and for the HOPWA program earlier this year.

For many years, our letters were ignored and we were forced to come to the floor and offer an amendment to increase funding for section 8 housing and HOPWA, where more than not we were successful at passing amendments to increase funding for these programs. I am pleased that this year, because of the efforts of the chairman, that was not necessary for us to come to the floor with an amendment.

But I do want to recognize that the need for affordable housing will still greatly outpace the supply. During this time of economic recession, much more needs to be done. I understand the Financial Services Committee is working on legislation to reform the section 8 program and authorize 150,000 additional new vouchers, and I look forward to working with them to pass that legislation so we can more properly address the severe housing crisis by substantially increasing funding for vouchers.

Similarly, while we requested $360 million this year for the HOPWA program and $350 million is appropriated in this bill, the National AIDS Housing Coalition estimates that over $3.2 billion is required to truly meet the housing needs for all those living with HIV/AIDS.

While we could always do more when it comes to funding for section 8 and HOPWA, I recognize it is no small feat to increase funding for a program by $3.7 billion in a single year for section 8 and $350 million for HOPWA.

I commend the chairman for his leadership, and I want to thank him for his continued support for these important housing initiatives. And I also want to thank the chairman and the committee for their initiatives in the transportation field and for the funds they have brought to this.

And I want to express, while I have the opportunity, my agreement with Chairman OBERSTAR that it is essential that we pass, this year, a reauthorization of the transportation bill and not put it off for 18 months into the next Presidential election year cycle if we're going to start catching up to the necessity to keep our infrastructure from falling apart, and also if we're going to get some more stimulus for this economy that we so desperately need during this recession.

So I support the rule. I thank the chairman for yielding me time.

Mr. LINCOLN DIAZ-BALART of Florida. I reserve the balance of my time.

Mr. ARCURI. Madam Speaker, I yield 2 minutes to another gentleman from New York, one of the freshmen here, Mr. MASSA.

Mr. MASSA. Madam Speaker, I rise today not only in support of the rule, in support of the underlying bill, but in opposition to one of the unprecedentedly large numbers of amendments which, in fact, is being allowed to be offered to this bill. And I have sat here this morning listening to a long conversation about the lack of allocation of amendments, and yet I have yet to hear the reality that in this House and in this rule and in this Congress, the majority has offered an unprecedented number of amendments to all forms of legislation heretofore not seen in the 111th or forbearing Congresses.

The amendment today that I would like to discuss is one that reaches far down into this bill to strip out a very small amount of money for a town where I come from. Now, I know that many people don't know where Hornell, New York, is. It's a small town. It's not on the big maps of the geopolitical world, but it's where I'm from. And in fact, in that town, once a center of a bustling train industry, is a small YMCA.

And that YMCA, like many around rural America, is a community center that offers not only its basic functions but, in this case, is actually a functioning gym for a small St. Ann's Catholic school. It's also a cardiovascular rehabilitation center for a local St. James private hospital.

With unprecedented transparency and, frankly, a small amount of pride, I have fought to place not billions, not hundreds of millions, not even tens of millions, but a very small amount of money to service and return a fair value of taxation back to the community.

What I proposed to do and what I am fighting against by stopping an amendment that would strip that out, with an open heart and an open conversation with those on the other side of the aisle that would deny the citizens of this small town a return for their tax investment, is to help that small community in whatever way possible.

I rise in support of this bill and this rule in support of the underlying legislation.

Mr. LINCOLN DIAZ-BALART of Florida. I continue to reserve.

Mr. ARCURI. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Madam Speaker, I rise in support of the rule in the legislation H.R. 3288, the Transportation Appropriating bill. In particular, I want to express my support for the passenger rail funding within the bill that amounts to $4 billion.

President Obama, Chairman OLVER, and my colleagues on the appropriations committee have demonstrated their commitment to passenger and high-speed rail by providing funding in this bill that would enable the urban, suburban, and rural communities in America to be connected by a system that will deliver both safe, swift, efficient, and economical travel across our Nation.

Texas, in particular, and the congressional delegation, needs passenger and high-speed rail, and we know that throughout the country it's needed. Funding for high- and higher-speed rail will reduce congestion and pollution, create jobs, and connect communities.

The deployment of rail throughout the designated corridors in my State and throughout the country and my district is something that's drastically needed and will help enhance business alike. The San Antonio/Austin corridor area is booming and the highway is congested. Developing passenger rail is crucial to the economic development.

It is vital that we preserve the recommended levels of passenger funding in this bill. Our passenger rail system is terribly underdeveloped and underfunded when compared to other nations such as France, Italy, China, and Japan, so we need to make that investment as quickly as possible. And the high-speed rail is needed.

In Texas, we have intellectual capacity and technology to be able to make this happen and make this happen as quickly as possible. My colleagues in south Texas have joined me in support of this effort, and we will hopefully get this bill passed.

As a member of the committee, I want to encourage everyone to support this piece of legislation that allows an opportunity for us to begin to look with that vision to the future. We need to get on board and support the $4 billion funding contained in H.R. 3288 that deals with rail.

I encourage both House and Texas colleagues to support the piece of legislation that we have before us and support the bill.

□ 1130

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I would ask my friend if he has any additional speakers.

Mr. ARCURI. We have no additional speakers.

Mr. LINCOLN DIAZ-BALART of Florida. I thank my friend. This has been an interesting debate. Apparently, there are some discussions, Madam Speaker, going on with our friends on the other side of the aisle.

What I will do at this point is reserve the balance of my time.

Mr. ARCURI. Madam Speaker, I will continue to reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I would simply inquire of my friend if it is the intention of the majority to try to amend the rule.

Mr. ARCURI. We are at the present time reviewing that option, and we are looking at it, but I would like, if I may, in the meantime, to make one more point about this bill.

Mr. LINCOLN DIAZ-BALART of Florida. On your time.

If I may, Madam Speaker, I thank my friend. Obviously, I have great respect for him, and I know that he will continue to speak on the merits of the legislation being brought to the floor today.

As confirmed by my friend, it seems that the majority is considering amending the rule, I am told, to eliminate the provision which allows Members to modify the amendatory instructions in their amendments to account for changes in the bill that occurred during the printing process.

It is my understanding that the majority fears that the minority will exploit that provision to change our amendments even though that has not happened thus far.

If this were to take place, I think it would be another example of how the majority is rushing legislation to the floor without giving this system the necessary time to work. If we had an extra day, we wouldn't need this provision at all because the bill would be printed, and the Members could read the bill; but because the Rules Committee and the chairman of the Appropriations Committee are determined to push legislation through without sufficient time for the House to review the legislation, we need this provision in the rule to account for clerical problems. Rather than actually giving Members time to read the bill, they want to run the risk that Members' amendments might not be in order.

So, in short, Madam Speaker, if this amendment to the rule were to take place, I think it would be another example of how the Speaker and the chairman of the Appropriations Committee value their schedules over the rights of Members to be heard on the floor.

I reserve the balance of my time.

Mr. ARCURI. I thank my friend for his comments.

Madam Speaker, this is somewhat of a technical change that we are contemplating, but I would say this: I think what one side or what one person views as rushing a piece of legislation the other side can very well argue is necessary and that we need to do it.

One of the things that I hear from constituents at home is, you know, Congress needs to put aside the partisan bickering and move forward with the people's business. I would submit that that is exactly what we are trying to do. There is nothing more important, obviously, for Congress to do than to ensure that the funding to run the government is available. Now, obviously, both sides of the aisle have dramatic differences on how that funding should occur.

I would submit to my friend from Florida—and I mean that, my good friend and colleague from the Rules Committee—that we have a distinct difference in terms of what a ''timetable'' is. We believe that we are here to ensure that we do the people's business and that it is done and that we do the funding in appropriations bills in a timely fashion. So we are working on that, and we are considering the amendment, and we will have an answer on that very shortly.

Mr. RODRIGUEZ. Will the gentleman yield?

Mr. ARCURI. I will gladly yield to my friend from Texas.

Mr. RODRIGUEZ. In listening to some of the discussions earlier of the amendments that had been brought before and of their concerns that they were not going to be listed, I know that the Rules Committee did the right thing in not considering them since a lot of the amendments that were talked about earlier, Madam Speaker, were amendments that should be dealt more appropriately with the authorizing committees. This is an appropriating bill, and they should not be handled in legislation of this matter. In appropriating bills, we don't have those amendments. They should go with that committee, and we need to respect the committees on the authorizing side to make sure that they do the right thing and that they do the authorizing and not through an appropriating bill.

I know this is a technical matter that will hopefully get dealt with, but in response to the discussions that you had had regarding the previous so-called lack of an opportunity to prepare those amendments, those amendments belong in an authorizing bill and not in an appropriating bill.

Let me just say that this is a major piece of legislation. It's a bill that needs to be passed. Throughout this country, there is a tremendous need for our infrastructure. This is a bill that will allow for an opportunity to create jobs, additional jobs, and that will make things happen, especially for the fast rail system, where it makes an investment and begins to look at resources in that area. That's one of the

areas in this country where we're lacking and where we have to have additional resources.

So I just wanted to take an opportunity to share the importance of making sure that we pass this piece of legislation.

Mr. ARCURI. Madam Speaker, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, we are ready to close, but my understanding is that the majority hasn't finalized its amendment to further restrict this process.

For example, with regard to this Transportation-HUD appropriations bill, the original schedule that was put out by the chairman of the Appropriations Committee, before the decision was made to end two centuries of precedent and not permit open rules on appropriations bills, called for 2 days of debate, but the rule they're bringing to the floor limits it, obviously, to 1 day of debate. Now they have an amendment to the rule that, apparently, they want to bring forth to further limit debate. So I am waiting until our colleagues have finalized their amendment to further restrict this process before, obviously, I close.

Having said that, I would ask my friend and colleague if he is ready with his further restrictive amendment. I will yield for the answer.

Mr. ARCURI. With respect to the question, I do take exception to your characterization of it.

Mr. LINCOLN DIAZ-BALART of Florida. The question is: With regard to the amendment to the rule, are you ready with your amendment to the rule?

Mr. ARCURI. We are not ready.

Mr. LINCOLN DIAZ-BALART of Florida. Then I will reserve the balance of my time.

Mr. ARCURI. Madam Speaker, first off, may I inquire as to the amount of time left on both sides?

The SPEAKER pro tempore. There are 12 minutes remaining for the gentleman from New York, and there are 15½ minutes remaining for the gentleman from Florida.

Mr. ARCURI. Thank you.

Madam Speaker, I would like to speak just for a couple of more minutes again about the underlying importance of passing this rule and the underlying bill.

I think there is nothing more important than transportation and infrastructure for government to ensure exists. When you look back at the history of this great institution, the first standing committee was, in fact, the Transportation and Infrastructure Committee, although then not called by that very name, but it was critically important. The framers saw the importance of having an infrastructure, of having the ability to render our ports navigable and of having functional roads. At that time, of course, rail and airlines were not even imagined, but as we transformed our Nation, it became a critical part of our infrastructure. So it is my belief that this rule and the underlying bill are critically important.

Madam Speaker, at this time, I would like to lay out on the record the amendment that we may be offering.

The amendment to the rule is, actually, rather minor. The amendment will strike from the rule a provision that is no longer necessary. There was some concern that the final version of the GPO print might not have the same page and line numbers as the ordered reported version. That did not occur, so the language in the rule to preserve the Members' rights to fix their amendments is no longer needed.

As I indicated earlier, it is clear that this proposed amendment—again, we have not offered it yet—is really of a technical nature to allow for a correction in the rule that was passed yesterday out of the Rules Committee.

With that, Madam Speaker, I would reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, if the amendment is so simple, as my friend has pointed out, where is it?

I reserve the balance of my time.

Mr. ARCURI. May I reclaim my time?

The SPEAKER pro tempore. The gentleman from New York is recognized.

Mr. ARCURI. Thank you, Madam Speaker, and I thank my friend for his cooperation in this.

As I indicated earlier, we are considering offering this amendment. With that, I would again just like to talk a little bit more about the underlying bill.

The bill that we are considering today, the THUD bill, is, again, important at this time. With our economy in the state that it is in, clearly, many people believe that the best thing that we can do for the economy is to spend on and to develop our infrastructure. It is that which we are supposed to do and that which we are asked to do.

One of the things in the Transportation and Infrastructure Committee on which we debate on a very regular basis is the surface transportation reauthorization bill, which will come up this year. We clearly believe that it is critically important, that it is important not only for our infrastructure but as a way of creating jobs. It is what we were sent to Congress to do, which is to ensure that our roads are safe, to ensure that our airports run and function the way they are supposed to and to ensure that our rail transportation infrastructure is what it should be.

Madam Speaker, I would say, at this time, we have decided that we will not be offering the amendment. Therefore, I would reserve the balance of my time, and I am prepared to close.

Mr. LINCOLN DIAZ-BALART of Florida. I thank my friend. He had described the amendment, and I had argued against it. Now the decision has come not to make it, not to propose the amendment further limiting this process. So I thank my friend for having obtained a decision from his side of the aisle.

□ 1145

At this point, Madam Speaker, I yield such time as he may consume to my good friend the ranking member, Mr. DREIER.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Madam Speaker, I as always thank my friend from Miami for yielding me this time.

I have to say I was sitting downstairs watching the proceedings here on the floor, and I have to admit, I have been privileged to serve for nearly 2 decades on the House Rules Committee, and for 8 of those years, I was privileged to serve as chairman of the House Rules Committee. I think we've moved into uncharted waters. I know that there have been difficulties and the challenge of trying to amend rules before in the past, and it has often been done by unanimous consent where we've had a bipartisan consensus that some minor technical change needed to be made. Well, that doesn't appear to be the case right now, Madam Speaker.

As I've listened to the exchanges take place between my friend from Utica and my friend from Miami, I have to admit to being just a little bit confused. And I suspect that a number of our colleagues that don't have the opportunity to serve on the Rules Committee may be equally confused.

I think that the bottom line here is very clear. I heard a new Member from New York take the floor earlier and decry the number of amendments that have been filed by Members of the minority, indicating that this was somehow unprecedented. Well, the only thing that is unprecedented here, Madam Speaker, is the fact—and I'm sure that Mr. DIAZ-BALART has pointed this out throughout the debate—is the fact that we have never before in the history of our Republic gotten to what now I guess is appropriations bill number 10—number 9—anyway, and we've nearly completed the appropriations process. I know that after this bill we will have the Defense appropriations bill, and everyone's holding up numbers for me, Madam Speaker. I have to say that I appreciate it. I guess we've got two left after this. You all on both sides of the aisle are helping me make my point.

Never before in the history of the Republic have we seen the appropriations process closed down from the very beginning. We began the process, what was described in old Congress as a modified open rule which required preprinting, which did restrict the rights of Members. Then we got to the point where within after 20 minutes of debate under that modified open rule, we shut down the process and required the filing of amendments.

And now, here we are with two appropriations bills left, and the Rules Committee members during debate are seeing some sort of conflict taking place I

believe between the Appropriations Committee and the Rules Committee, and one of the things that we pointed to throughout the debate on these last eight or nine appropriations bills has been the fact that the Rules Committee has really been controlled by the Appropriations Committee. I mean, the entire body has been controlled by the chairman of the Appropriations Committee, because the Rules Committee has simply marched in lockstep to the requests that the distinguished chairman of the Appropriations Committee has made.

Again, it's unprecedented, and the exchange that I've just seen taking place here on the House floor is unprecedented, and I hope that we can learn from this, Madam Speaker, we can learn that there is something called regular order. And all that means is the Democrats and Republicans, the representatives of the American people, the representatives of Democrats, Republicans, Independents and people who aren't even registered to vote across the country, can have their voice heard in the appropriations process, as has been the case for 220 years, if we could have what is known as an open amendment process.

Again, this is not about Republicans. It's not about Democrats. It's about the American people and their voice, their voice in the people's House, which is what this place is known as.

And so, Madam Speaker, it saddens me that we've come to this point, and I hope that my friend from Utica and my friend from Miami will somehow be able in the next few minutes to be able to bring about a reconciliation on this challenge that we've been following.

Mr. LINCOLN DIAZ-BALART of Florida. I ask my friend, he has no additional speakers?

Mr. ARCURI. I have no additional speakers.

Mr. LINCOLN DIAZ-BALART of Florida. Again, I thank him for obtaining a decision from his leadership and in effect not moving forward with an amendment to further limit, further restrict a restrictive rule.

I'm going to be asking for a ''no'' on the previous question, Madam Speaker, so that we can amend this rule so we can go back to regular order, so that we can allow for an open process of debate. There is no question that this rule that the majority has brought forth will help or contribute to cementing a dangerous precedent that the majority continued to set last month. It will further damage bipartisanship and comity in this body.

I urge my colleagues to vote ''no'' on the previous question so that we can uphold the tradition of this House, return to the tradition of this House, of allowing free and open debate on appropriations bills. I think, if we do not do so, the majority will come to regret their decision to close down the deliberative process of the House on appropriations bills.

I think it's more unfortunate what the majority has done, and they realize overturning two centuries of precedent is a significant action, and it will inure to the detriment of each and every Member and the constituents of each and every Member of this House forever.

As I said before, majorities are never permanent. My distinguished colleague on the Rules Committee who's serving his first term, member of the majority party said, I've never seen an open rule on an appropriations process—I'm paraphrasing him—but I don't expect to be in the majority forever, and so one day I expect to see an open rule on an appropriations bill.

Well, that was an illustrative statement in many ways, one that he recognizes that the trend that has been set by the majority of restricting the debate process on appropriations bills has now been set in a fairly definitive form, but he expects that in the future majorities will act differently. And that may not be the case, because once precedents are broken, new precedent exists for future majorities, and that would be most unfortunate if forever the Members of this House are denied the ability to introduce amendments in an open process on appropriations bills.

So, Madam Speaker, I thank you for your courtesy, and I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida.

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. I yield back the balance of my time.

Mr. ARCURI. Madam Speaker, I'd like to thank my good friend from Miami for his cooperation in management of this rule and for his courtesy in that regard. I appreciate it very much.

Madam Speaker, the Transportation-HUD Appropriations Act funds some of the most important initiatives that pay for everything from roads, bridges and railroads to housing for veterans and low-income families. In my opening remarks, I discussed the critical investments that this bill would make in our transportation system. This bill also invests in housing programs for vulnerable populations, including retirees, people with disabilities, veterans, and even children. The funding is even more essential during these tough economic times.

This bill includes funding to address the problem of homelessness among our veterans. All too often the men and women who sacrifice the most for our freedom are hit the hardest during times of economic crisis. We owe our veterans the utmost respect and gratitude for their service, and we must honor the commitment made to them. They should not have to return home to be confronted by the possibility of poverty or homelessness. To address this, H.R. 3288 includes $75 million for veterans affairs housing vouchers to provide 10,000 of these vouchers for our homeless veterans.

It provides $8.7 billion to provide affordable housing to 1.3 million low-income families and individuals, two-thirds of whom are elderly or disabled. It includes another $1 billion to rehabilitate and build new housing for low-income seniors. Currently there are 10 eligible seniors on the waiting list for each unit of available housing. In America, it is unacceptable that our Greatest Generation is faced with this shortage.

H.R. 3288 also contains important investments to revitalize our local communities, including $4.6 billion for community development block grants, $25 million for brownfields redevelopment, and $250 million to fund the Hope VI competitive grants program to transform neighborhoods of extreme poverty into sustainable mixed-income neighborhoods through the demolition of severely distressed public housing.

Madam Speaker, housing and transportation are two areas that must be priorities, especially when the economy slows. The funding that H.R. 3288 provides for these programs will ensure that jobs continue to be created and that our Nation's economy continues to recover. I urge my colleagues to vote ''yes'' on the previous question and on the rule.

The text of the material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 669 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

Strike the resolved clause and all that follows and insert the following:

Resolved, That immediately upon the adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3288) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. ARCURI. I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. NUNES. Madam Speaker, I rise to a question of the privileges of the House and offer the resolution previously noticed.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Whereas, on May 25, 2007, U.S. District Court Judge Oliver W. Wanger issued a ruling that directed the Bureau of Reclamation to reduce water exports from the Sacramento-San Joaquin River Delta to protect a three-inch minnow called the Delta smelt;

Whereas, on December 15, 2008, the United States Fish and Wildlife Service, based on the Wanger Ruling, issued a Biological Opinion on the Delta smelt that permanently reduced water export from the Sacramento-San Joaquin River Delta which is traditionally delivered to cities and farms in the San Joaquin Valley and the Los Angeles and San Diego basins;

Whereas according to a University of California at Davis study, based on the water reductions outlined in the Delta smelt Biological Opinion, revenue losses in the San Joaquin Valley of California for 2009 will be $2.2 billion and job losses at 80,000;

Whereas according to the U.S. Bureau of Labor Statistics, the unemployment rate in the San Joaquin Valley has reached the highest level in the Nation;

Whereas region wide unemployment in the San Joaquin Valley of California is nearly 20 percent and some cities have an unemployment rate of 40 percent;

Whereas thousands of people who once relied on employment in the agricultural sector are now unemployed and struggling to meet their most basic needs, such as providing food for their families;

Whereas, on March, 1, 2009, the Sacramento Bee reported thousands of people have been turned away from local food banks as supplies are not ample enough to meet local needs;

Whereas, on April 14, 2009, the Fresno County, California, Board of Supervisors proclaimed that the man-made drought has created an economic crisis;

Whereas on June 4, 2009, despite the ongoing man-made drought in California, the National Marine Fisheries Service issued a new Biological Opinion on the spring-run Chinook salmon, Central Valley steelhead, the southern population of North American green sturgeon, and Southern Resident killer whales which further reduces water supplies to Californians;

Whereas, on June 19, 2009, California's Governor Arnold Schwarzenegger declared a state of emergency for Fresno County, California, and petitioned President Barack Obama to declare the county a Federal disaster area;

Whereas on June 28, 2009, the Secretary of the Interior Ken Salazar visited Fresno, California, and held a town hall meeting in which nearly 1,000 people attended to express their dissatisfaction with the lack of action by the Obama Administration;

Whereas, on July 6, 2009, the Los Angeles Times reported that during Interior Secretary Ken Salazar's town hall meeting on June 28, 2009, the Commissioner of the Bureau of Reclamation, Mike Connor, pledged to provide financial aid to starving families and an audience member replied ''we don't want welfare, we want water'';

Whereas, on June 29, 2009, CBS 5 Eyewitness News reported that hundreds of San Joaquin Valley farmers protested outside the Federal Building Plaza in San Francisco which houses Speaker Nancy Pelosi's district office;

Whereas, on June 29, 2009, CBS 5 Eyewitness News reported the protestors blamed Speaker Nancy Pelosi and Congressman George Miller for the water shortage in the San Joaquin Valley;

Whereas, on June 29, 2009, CBS 5 Eyewitness News reported that protestors were holding signs that said ''ESA Puts Fish Ahead of People'', ''Congress Created Drought'', and ''New Endangered Species: The California Farmer'';

Whereas, on July 1, 2009, the Fresno Bee reported that a crowd of 4,000 marched through the streets of Fresno, California, to demand that the Federal Government end the man-made drought;

Whereas, on June 18, 2009, the Democrat leadership held open Roll Call Vote 366 for the purpose of changing the outcome of the vote;

Whereas during this vote, House Democrat leadership was seen on the House floor pressuring Members of Congress to change their Aye vote to a Nay vote in order to defeat the Nunes Amendment which would have helped to relieve the water crisis in California;

Whereas, on July 8, 2009, during the mark-up on the Energy and Water Development and Related Agencies Appropriations Act, 2010, a debate was held on the Calvert Amendment which would have restored water deliveries to Californians;

Whereas during the mark-up, the Chairman of the Appropriations Committee, David Obey, said ''Recognize there are certain actions, that if you take, this bill won't pass, your earmarks in the bill won't become law'';

Whereas Chairman Obey violated Clause 16 of House Rule 23 by linking passage of the Calvert Amendment to loss of earmarks;

Whereas, on July 14, 2009, despite historical tradition of open rules during the appropriations process, the Rules Committee blocked an amendment to the Energy and Water Development and Related Agencies Appropriations Act, 2010 that would have restored water deliveries to Californians;

Whereas, for two years, the House of Representatives has known about the man-made drought in California without taking legislative action to resolve the crisis;

Whereas the lack of action by the House of Representatives has demonstrated that fish are more important than families;

Whereas article 1, section 8 of the United States Constitution enumerates that the Congress shall have the power to provide for the general welfare of the United States;

Whereas the House of Representatives has willfully and knowingly failed to provide for the general welfare of the San Joaquin Valley of California; and

Whereas the failure of the House of Representatives to carry out its duties has subjected the House to public ridicule and damaged the dignity and integrity of the House of Representatives: Now, therefore, be it

Resolved, That the Committee on Natural Resources is instructed to discharge H.R.

3105, the Turn on the Pumps Act of 2009, for immediate consideration by the House of Representatives.

□ 1200

The SPEAKER pro tempore. Does the gentleman from California wish to present an argument on why the resolution qualifies as privileged for immediate consideration?

Mr. NUNES. Yes, Madam Speaker.

The SPEAKER pro tempore. The gentlemen from California is recognized.

Mr. NUNES. Under rule IX, questions of the privileges of the House are those that affect its rights collectively, its safety, dignity, and the integrity of its proceedings.

Madam Speaker, this privileged resolution allows us to rectify the problems that the Democrat leadership has created out in California. If we move forward with this today, 40,000 people can go back to work and we can move on and everybody will be fine.

So I urge the passing of this resolution today, and I yield back.

The SPEAKER pro tempore. The Chair is prepared to rule.

In evaluating the resolution offered by the gentleman from California under the standards of rule IX, the Chair must be mindful of a fundamental principle illuminated by annotations of precedent in section 706 of the House Rules and Manual. That basic principle is that a question of the privileges of the House may not be invoked to prescribe a rule or order of business for the House.

The Chair finds that the resolution offered by the gentleman from California, by directing action with respect to a bill that is pending before a standing committee, prescribes a rule or order of business. Under a long and well-settled line of precedent presently culminating in the ruling of July 17, 2009, such a resolution cannot qualify as a question of the privileges of the House.

The Chair therefore holds that the resolution is not privileged under rule IX for consideration ahead of other business. Instead, the gentleman may introduce the resolution through the hopper in the regular course.

Mr. NUNES. Madam Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE

Mr. JACKSON of Illinois. Madam Speaker, I move to table the appeal of the ruling of the Chair.

The SPEAKER pro tempore. The question is on the motion to table.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. NUNES. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to lay the appeal on the table will be followed by 5-minute votes on:

Adopting House Resolution 669; and suspending the rules and adopting House Resolution 566 and House Resolution 350.

The vote was taken by electronic device, and there were—yeas 249, nays 179, not voting 5, as follows:

[Roll No. 616]

YEAS—249

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E.B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Reichert
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—179

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—5

Bishop (UT)
Hastings (FL)
McCarthy (NY)
Rangel
Stark

□ 1232

Mr. GRIFFITH changed his vote from ''yea'' to ''nay.''

Messrs. CONYERS and FOSTER changed their vote from ''nay'' to ''yea.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 3288, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. The unfinished business is the vote on adoption of House Resolution 669, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 235, nays 183, not voting 15, as follows:

[Roll No. 617]

YEAS—235

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Spratt
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—183

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Driehaus
Duncan
Ehlers
Ellsworth
Emerson
Fallin
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moore (KS)
Moran (KS)
Murphy (NY)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Perriello
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—15

Bishop (UT)
Blunt
Cantor
Fleming
Gingrey (GA)
Kline (MN)
Lewis (GA)
McCarthy (NY)
Olver
Peterson
Ryan (WI)
Schauer
Speier
Stark
Wittman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes left in this vote.

□ 1239

Mr. ENGEL changed his vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONGRATULATING NBA CHAMPION LOS ANGELES LAKERS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 566, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 566.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 8, answered ''present'' 8, not voting 4, as follows:

[Roll No. 618]

YEAS—413

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larson (CT)
Latham
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)

Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perriello
Peters
Peterson
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shadegg
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—8

Carney
Grayson
Johnson (IL)
Lummis
Paul
Perlmutter
Roe (TN)
Sensenbrenner

ANSWERED ''PRESENT''—8

Bartlett
Courtney
Donnelly (IN)
Hodes
LaTourette
Petri
Poe (TX)
Shea-Porter

NOT VOTING—4

Bishop (UT)
Carnahan
Larsen (WA)
McCarthy (NY)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes left in the vote.

□ 1246

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING THE LIFE OF HARRY KALAS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 350, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 350.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 426, nays 0, not voting 7, as follows:

[Roll No. 619]

YEAS—426

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—7

Bean
Bishop (UT)
Costello
McCarthy (NY)
Mica
Pence
Schrader

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes left on this vote.

□ 1253

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. OLVER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include tabular and extraneous material on H.R. 3288.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. Pursuant to House Resolution 669 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3288.

□ 1255

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3288) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, with Mr. SNYDER in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time. The gentleman from Massachusetts (Mr. OLVER) and the gentleman from Iowa (Mr. LATHAM) each will control 30 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. OLVER. Mr. Chairman, I yield myself such time as I may consume, and hopefully that will be less than 5 minutes.

Mr. Chairman, it is my privilege and pleasure to present the fiscal year 2010 Transportation, Housing and Urban Development, and Related Agencies Appropriations bill to the House. This bill is the product of many hours of hearings and briefings, always with bipartisan input and excellent subcommittee member participation. I especially would like to recognize the important contributions of my ranking member, TOM LATHAM, in putting this bill together. And as with any healthy relationship, we do not always agree, but I greatly appreciate his partnership, and his input has made the bill better.

I also want to take a moment to recognize the hard work of staff, specifically on the minority side, Dena Baron, David Gibbons, Allison Fox and Doug Bobbitt; and on the majority side, Kate Hallahan, Laura Hogshead, Dave Napoliello, Lisa Pena, Alex Gillen, Janine Scianna, Andrew Burton and Blair Anderson. They have spent many late nights putting this bill together, and we would not be here today without their dedication.

There has been close communication and coordination between the minority and the majority staffs throughout this process, and the bill is better for that input.

Recognizing that today may be long, my remarks will be brief. This is a nonpartisan bill, as bills related to transportation and housing should be. It invests in our Nation's infrastructure during a transformational period for both the Department of Transportation and the Department of Housing and Urban Development. The bill provides $123.1 billion in total budgetary resources, $48 million below the President's budget request. Within Housing and Urban Development, this bill recognizes that foreclosure rates remain high and the current economic climate and weak job market have increased demand for affordable housing. To that extent, this bill provides $47.1 billion for HUD and targets most of the $1.6 billion increase over the President's budget to programs that the previous administration repeatedly attempted to reduce or zero out and thus have not kept up with the need.

In contrast, Transportation is a budget in flux, largely covering programs that are in transition with major surface and aviation authorizations pending. The authorizing committees of jurisdiction in both the House and Senate have either passed or begun marking up multi-year legislation to reform and extend these important infrastructure programs. In that regard, the bill includes $75.8 billion in transportation infrastructure investments. That is $1.66 billion below the President's request.

Last, I want to note that in supporting the transformations taking place at each Department, this bill has emphasized investments in five key areas: one, building healthy communities with environmentally sustainable solutions; two, maintaining services in rural communities; three, supporting vulnerable populations; four, investing in the national infrastructure; and, five, ensuring transportation safety.

In conclusion, we worked hard to balance many competing needs to produce a bill that reflects the bipartisan needs of transportation and housing. I'm pleased with the product, and I urge Members to support it.

DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2010 (H.R. 3288)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF TRANSPORTATION					
Office of the Secretary					
Salaries and expenses	98,248	103,184	102,556	+4,308	-628
Immediate Office of the Secretary	(2,400)	---	(2,631)	(+231)	(+2,631)
Immediate Office of the Deputy Secretary	(759)	---	(986)	(+227)	(+986)
Office of the General Counsel	(19,838)	---	(20,359)	(+521)	(+20,359)
Office of the Under Secretary of Transportation for Policy	(10,107)	---	(11,100)	(+993)	(+11,100)
Office of the Assistant Secretary for Budget and Programs	(10,200)	---	(10,559)	(+359)	(+10,559)
Office of the Assistant Secretary for Governmental Affairs	(2,400)	---	(2,440)	(+40)	(+2,440)
Office of the Assistant Secretary for Administration	(26,000)	---	(25,520)	(-480)	(+25,520)
Office of Public Affairs	(2,020)	---	(2,055)	(+35)	(+2,055)
Office of the Executive Secretariat	(1,595)	---	(1,658)	(+63)	(+1,658)
Office of Small and Disadvantaged Business Utilization	(1,369)	---	(1,433)	(+64)	(+1,433)
Office of Intelligence, Security, and Emergency Response	(8,675)	---	(10,600)	(+1,925)	(+10,600)
Office of the Chief Information Officer	(12,885)	---	(13,215)	(+330)	(+13,215)
Supplemental discretionary grants for national service transportation system (emergency) (P.L. 111-5)	1,500,000	---	---	-1,500,000	---
Financial management capital	5,000	5,000	5,000	---	---
Office of Civil Rights	9,384	9,667	9,667	+283	---
Rescission of excess compensation for air carriers	-848	---	---	+848	---
Transportation planning, research, and development	18,300	10,233	14,733	-3,567	+4,500
Working capital fund	(128,094)	---	(147,596)	(+19,502)	(+147,596)
Minority business resource center program	912	912	912	---	---
(Limitation on guaranteed loans)	(18,367)	(18,367)	(18,367)	---	---
Minority business outreach	3,056	3,074	3,074	+18	---
Payments to air carriers (Airport & Airway Trust Fund)	73,013	125,000	125,000	+51,987	---
Emergency appropriations (P.L. 111-32)	13,200	---	---	-13,200	---
Total, Office of the Secretary	1,720,265	257,070	260,942	-1,459,323	+3,872
Appropriations	(207,913)	(257,070)	(260,942)	(+53,029)	(+3,872)
Rescissions	(-848)	---	---	(+848)	---
Emergency appropriations	(1,513,200)	---	---	(-1,513,200)	---
Federal Aviation Administration					
Operations	9,042,467	9,335,798	9,347,168	+304,701	+11,370
Air traffic organization	(7,098,322)	---	(7,300,739)	(+202,417)	(+7,300,739)
Aviation safety	(1,164,597)	---	(1,231,765)	(+67,168)	(+1,231,765)
Commercial space transportation	(14,094)	---	(14,737)	(+643)	(+14,737)
Financial services	(111,004)	---	(113,681)	(+2,677)	(+113,681)
Human resource management	(96,091)	---	(100,428)	(+4,337)	(+100,428)
Region and center operations	(331,000)	---	(341,977)	(+10,977)	(+341,977)
Staff offices	(180,859)	---	(196,063)	(+15,204)	(+196,063)
Information services	(46,500)	---	(49,778)	(+3,278)	(+49,778)
Facilities & equipment (Airport & Airway Trust Fund)	2,742,095	2,925,202	2,925,202	+183,107	---
Supplemental funding for facilities and equipment (emergency) (P.L. 111-5)	200,000	---	---	-200,000	---
Research, engineering, and development (Airport & Airway Trust Fund	171,000	180,000	195,000	+24,000	+15,000

DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2010 (H.R. 3288)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Bill	Bill vs. Enacted	Bill vs. Request
Grants-in-aid for airports (Airport and Airway Trust Fund)(Liquidation of contract authorization)	(3,600,000)	(3,000,000)	(3,000,000)	(-600,000)	---
(Limitation on obligations)	(3,514,500)	(3,515,000)	(3,515,000)	(+500)	---
Small community air service development program	(8,000)	---	---	(-8,000)	---
Administration	(87,454)	(93,422)	(93,422)	(+5,968)	---
Airport Cooperative Research Program	(15,000)	(15,000)	(15,000)	---	---
Airport technology research	(19,348)	(22,472)	(22,472)	(+3,124)	---
Rescission of contract authority (BY AIP)	-80,000	---	---	+80,000	---
Rescission of contract authority (P.L. 111-32)	-13,200	---	---	+13,200	---
Subtotal	(3,421,300)	(3,515,000)	(3,515,000)	(+93,700)	---
Supplemental discretionary grants for airport investment (emergency) (P.L. 111-5)	1,100,000	---	---	-1,100,000	---
Total, Federal Aviation Administration	13,162,362	12,441,000	12,467,370	-694,992	+26,370
Appropriations	(11,955,562)	(12,441,000)	(12,467,370)	(+511,808)	(+26,370)
Rescissions of contract authority	(-93,200)	---	---	(+93,200)	---
Emergency appropriations	(1,300,000)	---	---	(-1,300,000)	---
(Limitations on obligations)	(3,514,500)	(3,515,000)	(3,515,000)	(+500)	---
Total budgetary resources less emergencies	(15,376,862)	(15,956,000)	(15,982,370)	(+605,508)	(+26,370)
Federal Highway Administration					
Limitation on administrative expenses	(390,000)	(415,396)	(413,533)	(+23,533)	(-1,863)
Federal-aid highways (Highway Trust Fund):					
(Liquidation of contract authorization)	(41,439,000)	(33,000,000)	(41,846,000)	(+407,000)	(+8,846,000)
(Limitation on obligations)	(40,700,000)	(5,000,000)	(41,107,000)	(+407,000)	(+36,107,000)
(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
General Fund share	---	36,107,000	---	---	-36,107,000
Appalachian development highway system	9,500	---	---	-9,500	---
Denali Access System	5,700	---	---	-5,700	---
Surface transportation projects	161,327	---	125,700	-35,627	+125,700
Additional TCSP (subject to limitation)	143,031	---	---	-143,031	---
Rescission of contract authority (Highway Trust Fund)	-3,150,000	---	---	+3,150,000	---
Administration (rescission of contract authority)	-33,401	---	---	+33,401	---
Research (rescission of contract authority)	-11,757	---	---	+11,757	---
Highway infrastructure investment (emergency) (P.L. 111-5)	27,500,000	---	---	-27,500,000	---
Total, Federal Highway Administration	24,624,400	36,107,000	125,700	-24,498,700	-35,981,300
Appropriations	(319,558)	(36,107,000)	(125,700)	(-193,858)	(-35,981,300)
Rescissions of contract authority	(-3,195,158)	---	---	(+3,195,158)	---
Emergency appropriations	(27,500,000)	---	---	(-27,500,000)	---
(Limitations on obligations)	(40,700,000)	(5,000,000)	(41,107,000)	(+407,000)	(+36,107,000)
(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
Total budgetary resources less emergencies	(37,824,400)	(41,107,000)	(41,232,700)	(+3,408,300)	(+125,700)
Federal Motor Carrier Safety Administration					
Motor carrier safety operations and programs (Highway Trust Fund)(Liquidation of contract authorization)	(234,000)	(234,000)	(239,828)	(+5,828)	(+5,828)
(Limitation on obligations)	(234,000)	(239,828)	(239,828)	(+5,828)	---
Motor carrier safety grants (Highway Trust Fund) (Liquidation of contract authorization)	(307,000)	(289,000)	(310,070)	(+3,070)	(+21,070)
(Limitation on obligations)	(307,000)	(310,070)	(310,070)	(+3,070)	---
National motor carrier safety program (HTF) (rescission of contract authority)	-19,572	---	---	+19,572	---
Motor carrier safety (HTF) (rescission of contract authority)	-2,231	---	---	+2,231	---
Motor carrier safety grants (HTF) (rescission of contract authority)	-6,503	---	---	+6,503	---

DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2010 (H.R. 3288)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Bill	Bill vs. Enacted	Bill vs. Request
Motor carrier safety operations and programs (HTF) (rescission of contract authority)	-4,839	---	---	+4,839	---
Total, Federal Motor Carrier Safety Admin	-33,145	---	---	+33,145	---
(Limitations on obligations)	(541,000)	(549,898)	(549,898)	(+8,898)	---
Total budgetary resources	(507,855)	(549,898)	(549,898)	(+42,043)	---
National Highway Traffic Safety Administration					
Operations and research (general fund)	127,000	129,774	131,736	+4,736	+1,962
Operations and research (Highway Trust Fund)					
(Liquidation of contract authorization)	(105,500)	(82,000)	(108,642)	(+3,142)	(+26,642)
(Limitation on obligations)	(105,500)	(107,329)	(108,642)	(+3,142)	(+1,313)
Subtotal, Operations and research	(232,500)	(237,103)	(240,378)	(+7,878)	(+3,275)
National driver register (general fund)	---	---	3,350	+3,350	+3,350
National driver register (Highway Trust Fund)					
(Liquidation of contract authorization)	(4,000)	(4,078)	(4,000)	---	(-78)
(Limitation on obligations)	(4,000)	(4,078)	(4,000)	---	(-78)
Subtotal, National driver register	4,000	4,078	7,350	+3,350	+3,272
Highway traffic safety grants (Highway Trust Fund)					
(Liquidation of contract authorization)	(619,500)	(626,047)	(619,500)	---	(-6,547)
(Limitation on obligations)	(619,500)	(626,047)	(619,500)	---	(-6,547)
Highway safety programs (23 USC 402)	(235,000)	---	(235,000)	---	(+235,000)
Occupant protection incentive grants(23 USC 405)	(25,000)	---	(25,000)	---	(+25,000)
Safety belt performance grants (23 USC 406)	(124,500)	---	(124,500)	---	(+124,500)
State traffic safety information system improvement grants (23 USC 408)	(34,500)	---	(34,500)	---	(+34,500)
Alcohol-impaired driving countermeasures grants (23 USC 410)	(139,000)	---	(139,000)	---	(+139,000)
High visibility enforcement	(29,000)	---	(29,000)	---	(+29,000)
Child safety and booster seat grants	(7,000)	---	(7,000)	---	(+7,000)
Motorcyclist safety	(7,000)	---	(7,000)	---	(+7,000)
Grant administration	(18,500)	---	(18,500)	---	(+18,500)
Operations and research (rescission of contract authority)	-10,900	---	---	+10,900	---
National driver register (rescission of contract authority)	-544	---	---	+544	---
Highway traffic safety grants (rescission of contract authority)	-60,200	---	---	+60,200	---
Subtotal	(551,856)	(630,125)	(626,850)	(+74,994)	(-3,275)
Total, National Highway Traffic Safety Admin	55,356	129,774	135,086	+79,730	+5,312
Appropriations	(127,000)	(129,774)	(135,086)	(+8,086)	(+5,312)
Rescissions of contract authority	(-71,644)	---	---	(+71,644)	---
(Limitations on obligations)	(729,000)	(737,454)	(732,142)	(+3,142)	(-5,312)
Total budgetary resources	(784,356)	(867,228)	(867,228)	(+82,872)	---
Federal Railroad Administration					
Safety and operations	159,445	168,770	172,533	+13,088	+3,763
Railroad research and development	33,950	34,145	34,145	+195	---
Capital assistance to States - Intercity Passenger Rail Service	90,000	---	---	-90,000	---
Capital assistance for high speed rail corridors and intercity passenger rail service	---	1,000,000	4,000,000	+4,000,000	+3,000,000
Emergency appropriations (P.L. 111-5)	8,000,000	---	---	-8,000,000	---
Subtotal	8,000,000	1,000,000	4,000,000	-4,000,000	+3,000,000

DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2010 (H.R. 3288)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Bill	Bill vs. Enacted	Bill vs. Request
Rail line relocation and improvement program	25,000	---	40,000	+15,000	+40,000
National Railroad Passenger Corporation					
Operating grants to the National Railroad Passenger Corporation	550,000	572,348	553,348	+3,348	-19,000
Office of Inspector General	---	---	19,000	+19,000	+19,000
Capital grants to the National Railroad Passenger Corporation	940,000	929,625	929,625	-10,375	---
Grants to the National Railroad Passenger Corporation (emergency)(P.L. 111-5)	1,300,000	---	---	-1,300,000	---
Efficiency incentive grants to the National Railroad Passenger Corporation (rescission)	-36,834	---	---	+36,834	---
Total, National Railroad Passenger Corporation	2,753,166	1,501,973	1,501,973	-1,251,193	---
Total, Federal Railroad Administration	11,061,561	2,704,888	5,748,651	-5,312,910	+3,043,763
Appropriations	(1,798,395)	(2,704,888)	(5,748,651)	(+3,950,256)	(+3,043,763)
Rescissions	(-36,834)	---	---	(+36,834)	---
Emergency appropriations	(9,300,000)	---	---	(-9,300,000)	---
Federal Transit Administration					
Administrative expenses	94,413	97,478	97,478	+3,065	---
Formula and Bus Grants (Hwy Trust Fund, Mass Transit Account (Liquidation of contract authorization)	(8,670,000)	(8,852,000)	(8,852,000)	(+182,000)	---
(Limitation on obligations)	(8,260,565)	(5,000,000)	(8,343,171)	(+82,606)	(+3,343,171)
General Fund share	---	3,343,171	---	---	-3,343,171
Rescission of current year contract authority	-100,000	---	---	+100,000	---
Subtotal	(8,160,565)	(8,343,171)	(8,343,171)	(+182,606)	---
Research and University Research Centers	67,000	67,670	65,670	-1,330	-2,000
Capital investment grants	1,809,250	1,827,343	1,827,343	+18,093	---
Emergency appropriations (P.L 111-5)	750,000	---	---	-750,000	---
Subtotal	2,559,250	1,827,343	1,827,343	-731,907	---
Washington Metropolitan Area Transit Authority capital and preventive maintenance	---	---	150,000	+150,000	+150,000
Transit capital assistance (emergency) (P.L. 111-5)	6,900,000	---	---	-6,900,000	---
Fixed guideway infrastructure investment (emergency) (P.L. 111-5)	750,000	---	---	-750,000	---
Total, Federal Transit Administration	10,270,663	5,335,662	2,140,491	-8,130,172	-3,195,171
Appropriations	(1,970,663)	(5,335,662)	(2,140,491)	(+169,828)	(-3,195,171)
Rescissions of contract authority	(-100,000)	---	---	(+100,000)	---
Emergency appropriations	(8,400,000)	---	---	(-8,400,000)	---
(Limitations on obligations)	(8,260,565)	(5,000,000)	(8,343,171)	(+82,606)	(+3,343,171)
Total budgetary resources less emergencies	(10,131,228)	(10,335,662)	(10,483,662)	(+352,434)	(+148,000)
Saint Lawrence Seaway Development Corporation					
Operations and maintenance (Harbor Maintenance TF)	31,842	32,324	32,324	+482	---
Maritime Administration					
Maritime security program	174,000	174,000	174,000	---	---
Operations and training	123,360	152,900	140,900	+17,540	-12,000
Ship disposal	15,000	15,000	15,000	---	---
Assistance to small shipyards	17,500	---	---	-17,500	---
Emergency appropriations (P.L. 111-5)	100,000	---	---	-100,000	---
Subtotal	117,500	---	---	-117,500	---

DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2010 (H.R. 3288)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Bill	Bill vs. Enacted	Bill vs. Request
Maritime Guaranteed Loan (Title XI) Program Account:					
Administrative expenses	3,531	3,630	3,630	+99	---
Ship construction (rescission)	-1,383	---	---	+1,383	---
Total, Maritime Administration	432,008	345,530	333,530	-98,478	-12,000
Appropriations	(333,391)	(345,530)	(333,530)	(+139)	(-12,000)
Rescissions	(-1,383)	---	---	(+1,383)	---
Pipeline and Hazardous Materials Safety Administration					
Hazardous materials safety	32,000	35,500	36,500	+4,500	+1,000
Administrative expenses:					
General Fund	18,491	18,329	19,329	+838	+1,000
Pipeline Safety Fund	639	639	639	---	---
Pipeline Safety information grants to communities	(1,000)	---	(1,000)	---	(+1,000)
Subtotal	(19,130)	(18,968)	(19,968)	(+838)	(+1,000)
Pipeline safety:					
Pipeline Safety Fund	74,481	86,334	86,334	+11,853	---
Oil Spill Liability Trust Fund	18,810	18,905	18,905	+95	---
Subtotal	(93,291)	(105,239)	(105,239)	(+11,948)	---
Emergency preparedness grants:					
Emergency preparedness fund	188	188	188	---	---
Limitation on emergency preparedness fund	(28,318)	(28,318)	(28,318)	---	---
Total, Pipeline and Hazardous Materials Safety Administration	172,927	188,213	190,213	+17,286	+2,000
Research and Innovative Technology Administration					
Research and development	12,900	13,179	12,834	-66	-345
Office of Inspector General					
Salaries and expenses	71,400	74,839	74,839	+3,439	---
Emergency appropriations (P.L. 111-5)	20,000	---	---	-20,000	---
Subtotal	91,400	74,839	74,839	-16,561	---
Surface Transportation Board					
Salaries and expenses	26,847	27,032	29,800	+2,953	+2,768
Offsetting collections	-1,250	-1,250	-1,250	---	---
Total, Surface Transportation Board	25,597	25,782	28,550	+2,953	+2,768
National Infrastructure Bank (legislative proposal)	---	5,000,000	---	---	-5,000,000
Total, title I, Department of Transportation	61,599,818	62,626,943	21,522,212	-40,077,606	-41,104,731
Appropriations	(16,998,830)	(62,626,943)	(21,522,212)	(+4,523,382)	(-41,104,731)
Rescissions	(-39,065)	---	---	(+39,065)	---
Rescission of contract authority	(-3,493,147)	---	---	(+3,493,147)	---
Emergency appropriations	(48,133,200)	---	---	(-48,133,200)	---
(Limitations on obligations)	(53,745,065)	(14,802,352)	(54,247,211)	(+502,146)	(+39,444,859)
(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
Total budgetary resources excluding emergencies	(67,211,683)	(77,429,295)	(75,769,423)	(+8,557,740)	(-1,659,872)

DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2010 (H.R. 3288)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE II - DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Management and Administration					
Executive direction	23,799	25,969	25,969	+2,170	---
Administration, operations, and management	527,434	537,897	537,897	+10,463	---
Personnel compensation and benefits:					
Public and Indian Housing	190,390	197,074	197,074	+6,684	---
Community Planning and Development	94,234	98,989	98,989	+4,755	---
Housing	363,198	374,887	374,887	+11,689	---
Office of the Government National Mortgage Association	10,000	11,095	11,095	+1,095	---
Policy Development and Research	18,071	21,138	21,138	+3,067	---
Fair Housing and Equal Opportunity	69,021	71,800	71,800	+2,779	---
Office of Heathy Homes and Lead Hazard Control	6,728	7,151	7,151	+423	---
Subtotal	751,642	782,134	782,134	+30,492	---
Total, Management and Administration	1,302,875	1,346,000	1,346,000	+43,125	---
Public and Indian Housing					
Tenant-based rental assistance:					
Renewals	15,200,000	16,189,200	16,387,200	+1,187,200	+198,000
Tenant protection vouchers	150,000	103,000	120,000	-30,000	+17,000
Family self-sufficiency coordinators	---	50,000	60,000	+60,000	+10,000
Administrative fees	1,500,000	1,493,800	1,600,000	+100,000	+106,200
Incremental family unification vouchers	20,000	---	---	-20,000	---
Veterans affairs supportive housing	75,000	---	75,000	---	+75,000
Nonelderly disabled incremental vouchers	30,000	---	---	-30,000	---
Working capital fund (transfer out)	(-7,929)	---	---	(+7,929)	---
Emergency appropriations (P.L. 111-32)	30,000	---	---	-30,000	---
Subtotal	17,005,000	17,836,000	18,242,200	+1,237,200	+406,200
Advance appropriations	4,000,000	4,000,000	4,000,000	---	---
Less appropriations from prior year advances	-4,158,000	-4,000,000	-4,000,000	+158,000	---
Total, Tenant-based rental assistance	16,847,000	17,836,000	18,242,200	+1,395,200	+406,200
Public Housing Capital Fund	2,450,000	2,244,000	2,500,000	+50,000	+256,000
Emergency appropriations (P.L. 111-5)	4,000,000	---	---	-4,000,000	---
Working capital fund (transfer out)	(-14,577)	---	---	(+14,577)	---
Subtotal	6,450,000	2,244,000	2,500,000	-3,950,000	+256,000
Public Housing Operating Fund	4,455,000	4,600,000	4,800,000	+345,000	+200,000
Revitalization of severely distressed public housing	120,000	---	250,000	+130,000	+250,000
Choice neighborhoods	---	250,000	---	---	-250,000
Native American housing block grants	645,000	645,000	750,000	+105,000	+105,000
Emergency appropriations (P.L. 111-5)	510,000	---	---	-510,000	---
Subtotal	1,155,000	645,000	750,000	-405,000	+105,000
Indian housing loan guarantee fund program account	9,000	7,000	7,000	-2,000	---
(Limitation on guaranteed loans)	(420,000)	(919,000)	(919,000)	(+499,000)	---
Native Hawaiian housing block grant	10,000	10,000	12,000	+2,000	+2,000
Native Hawaiian loan guarantee fund program account	1,044	1,044	1,044	---	---
(Limitation on guaranteed loans)	(41,504)	(41,504)	(41,504)	---	---
Total, Public and Indian Housing	29,047,044	25,593,044	26,562,244	-2,484,800	+969,200
Appropriations	(24,507,044)	(25,593,044)	(26,562,244)	(+2,055,200)	(+969,200)
Emergency appropriations	(4,540,000)	---	---	(-4,540,000)	---

DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2010 (H.R. 3288)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Bill	Bill vs. Enacted	Bill vs. Request
Community Planning and Development					
Housing opportunities for persons with AIDS	310,000	310,000	350,000	+40,000	+40,000
Working capital fund (transfer out)	(-1,750)	---	---	(+1,750)	---
Rural housing and economic development	26,000	---	---	-26,000	---
Community development fund	3,900,000	4,450,000	4,600,607	+700,607	+150,607
Emergency appropriations (P.L.111-5)	3,000,000	---	---	-3,000,000	---
Working capital fund (transfer out)	(-3,175)	---	---	(+3,175)	---
Subtotal	6,900,000	4,450,000	4,600,607	-2,299,393	+150,607
Section 108 loan guarantees:					
(Limitation on guaranteed loans)	(275,000)	(275,000)	(275,000)	---	---
Credit subsidy	6,000	---	6,000	---	+6,000
Brownfields redevelopment	10,000	---	25,000	+15,000	+25,000
HOME investment partnerships program	1,825,000	1,825,000	2,000,000	+175,000	+175,000
Emergency appropriations (P.L.111-5)	2,250,000	---	---	-2,250,000	---
Working capital fund (transfer out)	(-4,200)	---	---	(+4,200)	---
Subtotal	4,075,000	1,825,000	2,000,000	-2,075,000	+175,000
Self-help homeownership opportunity program	64,000	77,000	85,000	+21,000	+8,000
Homeless assistance grants	1,677,000	1,793,715	1,850,000	+173,000	+56,285
Working capital fund (transfer out)	(-2,675)	---	---	(+2,675)	---
Emergency appropriations (P.L.111-5)	1,500,000	---	---	-1,500,000	---
Total, Community Planning and Development	14,568,000	8,455,715	8,916,607	-5,651,393	+460,892
Appropriations	7,818,000	8,455,715	8,916,607	+1,098,607	+460,892
Emergency appropriations	6,750,000	---	---	-6,750,000	---
Housing Programs					
Project-based rental assistance:					
Renewals	6,868,000	7,868,000	8,474,328	+1,606,328	+606,328
Contract administrators	232,000	232,000	232,000	---	---
Working capital fund (transfer out)	(-10,000)	---	---	(+10,000)	---
Subtotal (available this fiscal year)	7,100,000	8,100,000	8,706,328	+1,606,328	+606,328
Advance appropriations	400,000	400,000	393,672	-6,328	-6,328
Less appropriations from prior year advances	---	-400,000	-400,000	-400,000	---
Total, Project-based rental assistance appropriated in this bill	7,500,000	8,100,000	8,700,000	+1,200,000	+600,000
Housing for the elderly	765,000	765,000	1,000,000	+235,000	+235,000
Working capital fund (transfer out)	(-1,600)	---	---	(+1,600)	---
Housing for persons with disabilities	250,000	250,000	350,000	+100,000	+100,000
Working capital fund (transfer out)	(-1,600)	---	---	(+1,600)	---
Housing counseling assistance	65,000	100,000	70,000	+5,000	-30,000
Manufactured housing fees trust fund	16,000	16,000	16,000	---	---
Offsetting collections	-10,600	-7,000	-7,000	+3,600	---
Subtotal	5,400	9,000	9,000	+3,600	---
Green retrofit program for multifamily housing (emergency) (P.L. 111-5)	2,250,000	---	---	-2,250,000	---
Energy Innovation Fund	---	100,000	50,000	+50,000	-50,000

DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2010 (H.R. 3288)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Bill	Bill vs. Enacted	Bill vs. Request
Rental housing assistance	27,600	40,000	40,000	+12,400	---
Rent supplement (rescission)	-37,600	-27,600	-27,600	+10,000	---
Total, Housing Programs	10,825,400	9,336,400	10,191,400	-634,000	+855,000
Appropriations	(8,623,600)	(9,371,000)	(10,226,000)	(+1,602,400)	(+855,000)
Rescissions	(-37,600)	(-27,600)	(-27,600)	(+10,000)	---
Emergency appropriations	(2,250,000)	---	---	(-2,250,000)	---
Offsetting collections	(-10,600)	(-7,000)	(-7,000)	(+3,600)	---
Federal Housing Administration					
FHA - Mutual mortgage insurance program account:					
(Limitation on guaranteed loans)	(315,000,000)	(400,000,000)	(400,000,000)	(+85,000,000)	---
(Limitation on direct loans)	(50,000)	(50,000)	(50,000)	---	---
Offsetting receipts (HECM)	-391,000	---	---	+391,000	---
Positive credit subsidy	---	798,000	---	---	-798,000
Administrative contract expenses	116,000	181,400	181,400	+65,400	---
Additional contract expenses	25,000	14,000	14,000	-11,000	---
Working capital fund (transfer out)	(-46,794)	(-70,794)	(-70,794)	(-24,000)	---
Consumer education and outreach	---	7,500	7,500	+7,500	---
FHA - General and special risk program account:					
(Limitation on guaranteed loans)	(45,000,000)	(15,000,000)	(15,000,000)	(-30,000,000)	---
(Limitation on direct loans)	(50,000)	(20,000)	(20,000)	(-30,000)	---
Offsetting receipts	-140,000	-140,000	-140,000	---	---
Credit subsidy	8,600	8,600	8,600	---	---
Right of first refusal (Sec. 237)	5,000	---	---	-5,000	---
rescission of prior year balances	-5,000	---	---	+5,000	---
Administrative contract expenses	47,871	---	---	-47,871	---
Consumer education and outreach	1,000	---	---	-1,000	---
Total, Federal Housing Administration	-332,529	869,500	71,500	+404,029	-798,000
Government National Mortgage Association (GNMA)					
Guarantees of mortgage-backed securities loan guarantee program account:					
(Limitation on guaranteed loans)	(300,000,000)	(500,000,000)	(500,000,000)	(+200,000,000)	---
Offsetting receipts	-170,000	-720,000	-720,000	-550,000	---
Additional offsetting receipts	-23,000	---	---	+23,000	---
Additional contract expenses	12,000	---	---	-12,000	---
Total, Gov't National Mortgage Association	-181,000	-720,000	-720,000	-539,000	---
Policy Development and Research					
Research and technology	58,000	50,000	50,000	-8,000	---
Fair Housing and Equal Opportunity					
Fair housing activities	53,500	72,000	72,000	+18,500	---
Office of Lead Hazard Control					
Lead hazard reduction	140,000	140,000	140,000	---	---
Emergency appropriations (P.L. 111-5)	100,000	---	---	-100,000	---
Subtotal	240,000	140,000	140,000	-100,000	---
Management and Administration					
Working capital fund	224,000	200,000	200,000	-24,000	---
(By transfer)	(94,300)	(70,794)	(70,794)	(-23,506)	---
Transformation initiative	---	20,000	20,000	+20,000	---

DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2010 (H.R. 3288)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Inspector General	120,000	120,000	120,000	---	---
Emergency appropriations (P.L. 111-5)	15,000	---	---	-15,000	---
Subtotal	135,000	120,000	120,000	-15,000	---
Total, Management and Administration	359,000	340,000	340,000	-19,000	---
Appropriations	(344,000)	(340,000)	(340,000)	(-4,000)	---
Emergency appropriations	(15,000)	---	---	(-15,000)	---
(Grand total, Management and Administration, less emergencies)	(1,646,875)	(1,686,000)	(1,686,000)	(+39,125)	---
GSE conforming loan limits (emergency)(P.L. 111-5)	37,000	---	---	-37,000	---
Extension of GSE conforming loan limits	---	---	80,000	+80,000	+80,000
Rescissions:					
FY08 advance appropriation (rescission)	-750,000	---	---	+750,000	---
Total, title II, Department of Housing and Urban Development	55,227,290	45,482,659	47,049,751	-8,177,539	+1,567,092
Appropriations	(38,662,490)	(41,977,259)	(43,550,679)	(+4,888,189)	(+1,573,420)
Rescissions	(-792,600)	(-27,600)	(-27,600)	(+765,000)	---
Advance appropriations	(4,400,000)	(4,400,000)	(4,393,672)	(-6,328)	(-6,328)
Emergency appropriations	(13,692,000)	---	---	(-13,692,000)	---
Offsetting receipts	(-724,000)	(-860,000)	(-860,000)	(-136,000)	---
Offsetting collections	(-10,600)	(-7,000)	(-7,000)	(+3,600)	---
(By transfer)	(94,300)	(70,794)	(70,794)	(-23,506)	---
(Transfer out)	(-94,300)	(-70,794)	(-70,794)	(+23,506)	---
(Limitation on direct loans)	(100,000)	(70,000)	(70,000)	(-30,000)	---
(Limitation on guaranteed loans)	(660,736,504)	(916,235,504)	(916,235,504)	(+255,499,000)	---
(Title II, non-emergency discretionary total)	(41,535,290)	(45,482,659)	(47,049,751)	(+5,514,461)	(+1,567,092)
TITLE III - OTHER INDEPENDENT AGENCIES					
Architectural and Transportation Barriers Compliance Board	6,550	7,000	7,200	+650	+200
Federal Maritime Commission	22,800	24,558	23,712	+912	-846
National Transportation Safety Board:					
Salaries and expenses	91,000	95,400	99,200	+8,200	+3,800
Rescission of unobligated balances	-671	---	---	+671	---
Neighborhood Reinvestment Corporation	181,000	166,800	196,800	+15,800	+30,000
United States Interagency Council on Homelessness	2,333	2,680	2,400	+67	-280
Total, title III, Other Independent Agencies	303,012	296,438	329,312	+26,300	+32,874
Grand total (net)	117,130,120	108,406,040	68,901,275	-48,228,845	-39,504,765
Appropriations	(55,965,003)	(105,300,640)	(65,802,203)	(+9,837,200)	(-39,498,437)
Rescissions	(-831,488)	(-27,600)	(-27,600)	(+803,888)	---
Rescissions of contract authority	(-3,493,147)	---	---	(+3,493,147)	---
Advance appropriations	(4,400,000)	(4,400,000)	(4,393,672)	(-6,328)	(-6,328)
Emergency appropriations	(61,825,200)	---	---	(-61,825,200)	---
Negative subsidy receipts	(-724,000)	(-860,000)	(-860,000)	(-136,000)	---
Offsetting collections	(-10,600)	(-7,000)	(-7,000)	(+3,600)	---
(Limitation on obligations)	(53,745,065)	(14,802,352)	(54,247,211)	(+502,146)	(+39,444,859)
(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
Total budgetary resources less emergencies	(109,049,985)	(123,208,392)	(123,148,486)	(+14,098,501)	(-59,906)

I reserve the balance of my time.

Mr. LATHAM. I thank the chairman and yield myself such time as I may consume. Mr. Chairman, today is an important day in the House because we are considering a bill that has far-reaching impacts on the transportation infrastructure across all of our districts and on all of our constituents in one way or another.

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For that reason alone, we should be considering this bill under an open rule so that our constituents have some say in how their tax dollars are being spent. Sadly, this is not the case.

Before I go any further, I want to tell the membership that I have really enjoyed working with Chairman OLVER, and look forward to continuing to do so. While, like he said, we don't always agree on everything, and especially the 25 percent increase in the allocation over last year, but that fact does not take away my belief that he is truly a devoted chairman who focuses on the resource needs of the entities under the jurisdiction of this bill, and I very much want to personally thank him for his consideration and kindness and working together. It's been a real pleasure.

I also want to tell both the majority and minority staffs that I sincerely appreciate their work throughout the process and commend them for a job, I think, very well done. And I salute all of your many hours that you put into the process, your forbearance in this often dysfunctional environment. We couldn't do it without you. And again, thank you on both sides of the aisle.

Mr. Chairman, as I said, the funding allocation for this bill for FY 2010 is 25 percent over the FY09 level. That is a huge increase, and one for which we ought to have a number of perfecting amendment votes as part of a serious debate, if for no other reason than to allow our constituents to have some say in how those funds are spent. At some point, it should start dawning on all of us that the reason we're hearing a lot of noise about some of the spending that's going on is that our constituents are waking up to the fact that they don't have a say in these exercises.

Mr. Chairman, as the administration has said about this bill, ''these infrastructure investments will help build a new foundation for long-term economic growth to benefit the American people for years to come.'' And I agree. If we are, indeed, making long-term infrastructure investments, then the investors, or our constituents, should have a say-so on how those investments are made.

One of my biggest concerns in this bill is that we do nothing to address the coming situation with the highway trust fund that runs out of money. At a point, we will have to bail out the fund with general fund resources. I know that's not in our jurisdiction as such, but the hour is getting late, and we should all be looking for the most expeditious ways to make any contribution we can to provide the resources that allow highway infrastructure and other transportation programs to continue with some predictability.

I had an amendment to help the trust fund situation, as I mentioned earlier today, in consideration of the rule. It would have transferred $3 billion from the Rapid Rail appropriation to the trust fund, these funds that will not be spent any time soon, while our highway trust fund screams for additional resources.

The $3 billion are also funds that were not requested by the administration for Rapid Rail, probably because the President knows they could not be spent any time soon. Right now they are ''parked funds,'' at a time when we do not need to be teeing up more resources to be spent on something such as an infrastructure bank which, at this point, is only a vague concept.

In the end, the amendment was not made in order, and I assume for political reasons, unfortunately. Had it been made in order, it would have given me some faith that the majority was serious about having a genuine debate on this bill which, in turn, might have drawn a few more supporters than might otherwise be the case.

I will offer a different amendment to strike the $3 billion, which will take the Rapid Rail funding to the President's request. Let me reiterate, that's the President's request. The $3 billion is over and above that, and I believe the President's request was a reasonable number.

It will also cancel the transfer authority to this unknown infrastructure bank that has not been authorized. Without the absence of any knowledge of where a Rapid Rail program will go or what the bank will look like, or even if any submitted rail projects are feasible, we simply do not need $3 billion of taxpayer money being set aside for simply a concept.

Mr. Chairman, I would be remiss if I did not say that there are some good points in this bill, absent a few billion unneeded dollars, to make it a very attractive legislative product.

With respect to HUD, I only want to say that this bill fully meets the government's obligation to renew all rental assistance, support the homeless, increase support for low-income elderly and the disabled, and provide additional rental assistance for veterans. But we cannot continue to put forth resources that cannot be deployed in the near term. We simply don't have the money.

And at this point, I thank you, and I reserve the balance of my time.

Mr. OLVER. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. ROYBAL-ALLARD) for a colloquy.

Ms. ROYBAL-ALLARD. Chairman OLVER, I am honored to serve as a member of the Transportation-Housing Subcommittee, and I thank the gentleman for his leadership on the many housing and transportation challenges facing our Nation.

I understand that among the elements of the Olver amendment is additional funding for railroad research and development. As the chairman is aware, our Los Angeles community suffered a tragic rail accident when a commuter passenger train collided head on with a freight train last year. It is widely believed that this accident could have been averted and 25 lives saved had positive train control technology been in operation on the system.

I would like to clarify that it is your intention that positive train control is one of the technologies that is funded under the research and development account.

Mr. OLVER. I thank the Congresswoman from California, and I share her concern about the terrible accident in Los Angeles, as well as her resolve to help prevent further accidents.

It is, in fact, my intention that the funding provided for railroad research and development be available for positive train control research and demonstration projects. I believe PTC is a necessary addition to our national railroad system, and I thank the Congresswoman for her leadership on this issue and keeping it in our attention.

Ms. ROYBAL-ALLARD. I thank the chairman for this clarification, and I look forward to working with the gentleman on this and other issues as the bill moves forward and we continue to address safety in all modes of transportation. I appreciate the gentleman's tireless work and that of the subcommittee staff on the many complex issues under this bill's jurisdiction.

Mr. LATHAM. Mr. Chairman, I would like to yield 5 minutes to the distinguished gentleman from Ohio (Mr. LATOURETTE), who has brought a lot of knowledge and insight to the committee.

Mr. LATOURETTE. I want to thank my good friend the chairman, and I want to thank my good friend Mr. LATHAM from Iowa, a classmate from 1994.

I want to commend the chairman of the subcommittee, Mr. OLVER, and our ranking member, Mr. LATHAM, for putting together a good bill, both on the transportation and the HUD side. There will be some criticism on the floor today about how much money it spends, and let me just tell you, as someone who spent 14 years on the Transportation and Infrastructure Committee, as a Nation, we need to be embarrassed about what we spend on transportation in this country.

If you look at the American Society of Civil Engineers, their report that they come out with on an annual basis, a scorecard in terms of how we're doing, if more Americans read that scorecard, they wouldn't put their families in the minivan and take them on vacation and drive over some of the bridges in this country.

The difficulty is going to occur later this year, and I have to say I guess I'm disappointed in the administration saying that they're going to kick the highway authorization bill down the road for 18 months, which, coincidentally falls after the next midterm election.

But I have to tell you that it is, in fact, infrastructure which creates jobs, and it's infrastructure which employs people in this country. And as a Republican, I can tell you, if it hadn't been for Dwight Eisenhower's vision on the national highway system, we would not have been the envy of the world we are today.

But sadly, now we begrudgingly, in the 6-year reauthorization, carp about spending $35 billion a year for the entire country. And the need, I would suggest, Mr. Chairman, is far greater than that. And so, while this bill does, in fact, spend more money, and some people may not like the price tag, I think it's important.

I want to talk about two other things relative to the bill. The one is passenger rail service. You know, I had the privilege of being the chairman of the Railroad Subcommittee on Transportation, and we always seemed to give Amtrak just enough money to fail.

And if you look at Amtrak, when they took over the passenger rail service from Conrail, and we didn't want to be in the business anymore and the freight lines didn't want to be in the business anymore, they got bad track, bad rolling stock, bad management. And we sort of limp along.

And I've had friends on my side of the aisle say, well, we can't give them a billion dollars, what a big handout that is. Well, a billion dollars is a lot of money, but the fact of the matter is that if this country is ever going to move and restore passenger rail in this country, it's going to have a price. And anybody that thinks that passenger rail, as a societal prerogative, doesn't have to be subsidized is nuts.

I mean, you go over and you look at the world-class systems in Europe and in Asia. All of those countries have said for trips of 400 miles or less, we want passenger rail to be competitive with travel by car. We want passenger rail to be competitive with air travel, and they made the significant investments to make that happen.

Anybody who has, and I've had the pleasure to travel with the distinguished chairman of the Transportation and Infrastructure Committee in Europe on trains like the TGV and the Chunnel and in Japan on their high-speed rail. It goes over 200 miles an hour. The fact that we have ignored that as a mode of transportation in this country should be an embarrassment to the greatest country on Earth, and this bill begins to make significant investments in that.

The stimulus package had $8 billion for high-speed rail. This bill has an additional $4 billion. And I'll just tell you, I don't represent a person in the Cleveland area that wouldn't say, if I could go 150, 180, 200 miles an hour from Cleveland to Chicago that I would, in fact, do that.

And you want to talk about climate change. You know, the way to get money around here this year is, if you put green in any legislation, they give you money. But if you want to talk about climate change, I believe the last time I checked, the statistic is 1 gallon of diesel fuel can take 1 ton of cargo from Washington, D.C., to Boston, Massachusetts. I don't know another mode of transportation that is that fuel efficient. You get cars off the road, you get trucks off the road, and you don't create the greenhouse gases that everybody is, in fact, worried about.

Mr. OBERSTAR. Will the gentleman yield?

Mr. LATOURETTE. I would be happy to yield to the chairman.

Mr. OBERSTAR. I thank the gentleman for yielding, Mr. Chairman, to compliment the gentleman on his statement. I fully subscribe to the wise words that he has expressed and to the history he's unveiled of the evolution of passenger rail in this country. And the gentleman from Florida (Mr. MICA), my partner on the Committee on Transportation and Infrastructure—

The CHAIR. The gentleman's time has expired.

Mr. LATHAM. I would yield to the gentleman from Ohio 2 more minutes.

Mr. LATOURETTE. I yield to the gentleman.

Mr. OBERSTAR. And we worked together with the gentleman from Ohio to craft an Amtrak authorization bill that opens the door to private sector investment, that creates a sustainable path for the future of surface high-speed intercity passenger rail in this country, and with the gentleman's leadership now, Mr. Chairman, on the Appropriations Committee, we're going to advance that cause.

So I thank him for that forthright statement and am delighted that he's continuing to be such a strong advocate, and I also take this opportunity to thank my colleague on the committee, the gentleman from Florida, for the partnership we've had in advancing the cause of high-speed intercity passenger rail.

Mr. LATOURETTE. I thank the chairman very much. And I would say that if you really want to know about transportation, you talk to JIM OBERSTAR of Minnesota. The man has written most of the books, and I've learned so much of what I've learned in this Congress from sitting on the other side of the aisle from him.

□ 1315

I would only say the gentleman is going to be disappointed now because I spent 14 years on his committee, on the authorizing committee, and we always chafed at the appropriators who authorized on appropriations measures. I've now gone over to the dark side, and I think it's the most wonderful system in the world.

Mr. OLVER. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. LEVIN) for a colloquy.

Mr. LEVIN. Mr. Chairman, section 412 of the bill provides that no funds appropriated pursuant to this act may be expended by an ''entity'' unless that entity agrees to comply with the Buy American Act.

The Buy American Act is part of a longstanding U.S. trade policy. That policy requires reciprocity in Federal Government procurement. Since 1979, the U.S. has agreed to open its procurement market to countries that agree to open their procurement markets to U.S. suppliers. That same policy requires the United States to not grant access to countries that are unwilling to agree to open their procurement markets to U.S. suppliers.

I believe that the intent of section 412 is to be consistent with that policy. Its intent is not to expand the scope of the Buy American Act, such as to cover businesses or other ''entities'' that may receive funding under this appropriations bill and that are not currently subject to the act. I also understand that section 412 is not intended to create an inconsistency with our international obligations, including our obligations under the WTO Agreement on Government Procurement.

If I might, I will now yield to the chairman for clarification.

Mr. OLVER. The gentleman is correct. Section 412 will help to ensure compliance with the Buy American Act. Because the intention is not to apply the Buy American Act to new entities, it is consistent with our international obligations.

Mr. LEVIN. I thank the chairman.

Mr. LATHAM. Mr. Chairman, I yield 5 minutes to the distinguished ranking member of the Transportation and Infrastructure Committee, the gentleman from Florida (Mr. MICA).

Mr. MICA. Thank you so much for the time, for the introduction and for the opportunity to speak on this important Transportation and HUD funding bill.

Mr. Chairman, first of all, I want to compliment Mr. OLVER and Mr. LATHAM, the two leaders of the appropriations subcommittee, on the great job that they have done and for their efforts and for the efforts of both staffs in addressing the transportation and infrastructure needs of the Nation.

This is one of the most important bills that we will pass because this job will actually put people to work. I can tell you—and my colleagues and every one of you knows the statistics—that the national unemployment is at 9.5 percent. In my State of Florida, we're at 10.5 percent. I have some counties in my district that are at 15 percent. We have a problem. One of the ways to get people working and into jobs is by building infrastructure, and we'll actually have something tangible when we get done.

I do want to raise an issue that I have with the bill, but it is not something that is the responsibility of the

authors of this legislation, Mr. OLVER or Mr. LATHAM. They have been most cooperative. We've had a great working relationship, myself as an authorizer and the two of them as appropriators.

From time to time and in the past, there have been great battles—I've seen some of them—about authorizing on an appropriations bill. Now, I went to the Rules Committee, and I didn't get a chance to speak on the rule, so I voted against its passage. I asked the Rules Committee to pass an amendment that would have sped up the process by which we could get these dollars out so that we could actually get people working sooner rather than later. I know people have asked me for bigger government programs and for more bailouts, but now they have asked for an opportunity to work, and nothing has been harder hit than transportation projects.

I've got one little quote here from the Secretary of Transportation in Pennsylvania, who says that the unemployment rate for construction workers there is 21 percent.

It's high all over the Nation, but we can get people to work. The Rules Committee ruled out of order my amendment that would have sped up the process for the consideration of transportation projects, both for stimulus and also for this type of funding legislation.

Actually, I had my staff go through, and they just tabbed one section of this, of legislating on appropriations bills. All of these tabs represent legislating on an appropriations measure, but I don't raise any questions about these. Some of this is probably fine. We've talked together, and we agree on it.

What I'm concerned about is that the Rules Committee took the bill as it stood, but failed to take my proposed amendment. They said I was legislating on appropriations. My measure, again, would have sped up the process. Don't think we can't do that. I stood here with Mr. OBERSTAR the day that the bridge collapsed over the Mississippi River in Minneapolis. We rebuilt that bridge in 437 days. Normally, the process to rebuild that, if you went through all the normal hoops and red tape and Federal requirements, would take 6–7 years. We can do the same thing because we have a national emergency now, and we need to get this transportation money that this good, well-intended and very effective subcommittee is bringing forth. It's a good measure. They work together in a bipartisan fashion.

What I'm saying is we need to get that money, the stimulus money, out. We're having the same problem with our stimulus money, getting it out. There is $48 billion under the Department of Transportation's responsibility. So far, we have $771 million. Let me say the State Transportation Departments across the country are doing their level best. They're doing a great job getting that money out, but that's less than $1 billion of $48 billion out.

There is a reason it's caught up in red tape. Let me take, not what a Republican Governor said, but what, I believe, North Carolina Governor Perdue said, which is that there is so much red tape that it's discombobulating.

Now, just for the record—and I will give the Clerks the proper spelling of ''discombobulating'' for the RECORD of the House—he said it's irritating. That's Perdue.

Here is a little engineer in a county in Indiana. He said, ''I've got an engineer full time, and just 'bout all he's doing is red tape every day.''

The CHAIR. The time of the gentleman has expired.

Mr. LATHAM. I yield the gentleman from Florida 2 additional minutes.

Mr. MICA. Again, I want to take not just the Governor or the Secretary of Transportation in Pennsylvania or the Governor of North Carolina. Here is a county engineer in Elkhart County, Indiana who says, I've got an engineer full time, and that's just 'bout all he's doing is red tape every day, filling out forms, filling out forms.

So my proposal, had the Rules Committee accepted it, would have sped up the process. I didn't come here to say we should roll over any environmental requirements or regulations. What I said is we should condense the process because this, my fellow Members of Congress, is a national emergency. If you don't think it's a national emergency, go back to your office, and find some of those letters from folks who are pleading with Congress to help them find a job, to get people employed in their families so they can pay their mortgages, so they can build their dreams like we all want to do, but they're not able to do that, and we're not able to get the money out because of the red tape and constraints.

So, again, I regret that the Rules Committee rejected my proposal. I'll be back here again.

Mr. OLVER. Will the gentleman yield?

Mr. MICA. Yes, I will always yield to the chairman.

Mr. OLVER. I thank the gentleman for yielding.

To finish this and to allow him to respond in some kind of way, I would give the gentleman additional time, Mr. Chairman.

I just wanted to say that I can remember—and probably, if you think about it a little bit, you can remember, too, because my memory is probably a lot poorer than yours—times when this bill was brought to the floor, and point of order after point of order to the level of practically stripping half the bill away were made by your committee. Well, maybe you weren't the chairman at that particular time, but a few years ago, that sort of thing did happen.

The CHAIR. The time of the gentleman from Florida has again expired.

Mr. LATHAM. I yield the gentleman an additional 2 minutes.

Mr. OLVER. Furthermore, I would just simply say, of the $47 billion, more than $21 billion has been obligated. Those expenditures are going on. That's more than the amount that was intended to be obligated by the end of the 2009 fiscal year. We're already obligating the money into 2010, so it's getting out there pretty quickly. Though, I do have great sympathy for the position that you're taking in that it takes far too long, and I hope the authorizing will take care of that in a new event.

Mr. MICA. I know what went on in the past with my committee and its calling points of order on authorizing on an appropriations measure.

Let me say that I did not come to burn Rome. I came to help you build Rome. I have no objection to these, and I did not object on any, but I did object to my one. Here is 45 not being considered by the Rules Committee, and your committee is not the Rules Committee.

Let me say this, too: We have obligated money, but you know, I can't go back to my office and say, Mr. So-and-so or Madam So-and-so Constituent, we've obligated money. It's not out there, so there isn't that hope for a job. All I'm trying to do is get the money expedited so we can get jobs going again.

Finally, let me tell you why it's important to get that money out there now, folks. Listen to this. This is one American dollar. I can tell you that, right now, you will get the best deal ever to do infrastructure projects in the country.

The CHAIR. The time of the gentleman has again expired.

Mr. LATHAM. I yield the gentleman 1 additional minute.

Mr. MICA. My district secretary told me that bids are coming in 25 to 30 percent lower. Do you see this three-quarters of a dollar? I can get a dollar's worth of construction now for three-quarters of a dollar. We have American infrastructure on sale wholesale, and we should be getting that money out in the interest of taxpayers and building that.

Heaven forbid, you know, it's not like some of these other programs or like the bailouts. I didn't come here asking for a bailout. All I'm asking for is something tangible, and that's what your subcommittee provides so well for our Nation is something tangible—roads, bridges, highways, transit systems—all of which we need across this land from sea to shining sea. We're drowning in congestion. We don't have high-speed rail systems like the Europeans, Asians and other people around the world. So I don't mind spending it.

My dad used to say, ''It's not how much you spend, Son. It's how you spend it.''

Mr. OLVER. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. RODRIGUEZ), who is a member of the subcommittee.

Mr. RODRIGUEZ. Mr. Chairman, I rise today in strong support of H.R. 3288, the 2010 Transportation-HUD appropriations spending bill. In particular, I want to express my support

for the passage of the rail funding within the bill that amounts to about $4 billion.

I want to thank Chairman OLVER for his leadership, and I want to thank the Appropriations Committee for demonstrating their commitment to passenger and high-speed rail by providing funding in this bill that will enable urban, suburban and rural communities in America to be connected by a system that will deliver safe, swift, efficient, and economical travel across our Nation. The $4 billion provided in this bill will support a competitive grant process. The Federal Railroad Administration will oversee the grant application and award process.

For those who have concerns about the funding, I want to stress that current demand for passenger rail exceeds available funds in the pre-application process for passenger rail funding. Texas, for example, has requested $3.1 billion; California has requested $21.6 billion; Nevada has requested $12.5 billion. Overall, 40 locations throughout America have requested in excess of $104 billion.

The fact of the matter is that $4 billion is only a small down payment of investment in passenger rail. Texas desperately needs the passenger and high-speed rail. Funding for high-speed rail will reduce congestion and pollution. It will create jobs, and it will connect America's communities. The San Antonio-Austin area is booming, and the highways are congested. America's passenger rail system is terribly underdeveloped and underfunded when compared to other nations, such as France, Italy, China, and Japan.

□ 1330

My colleagues in south Texas have joined me in supporting this bill, and I ask for the support of this piece of legislation.

Mr. LATHAM. I reserve the balance of my time.

Mr. OLVER. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY) for a colloquy.

Ms. WOOLSEY. I thank the chairman for all of your hard work on this bill.

As the chairman knows, there is a project in my district named the Sonoma-Marin Area Rail Transit project. We call it SMART. When fully up and running, SMART will be a 70-mile passenger rail system that connects 14 stations and runs right through the heart of my district.

This project is vital because it eases congestion on the major transportation artery, Highway 101, by providing an alternative mode of transportation. This is a very popular project, and actually, last November, voters in my district passed a quarter-cent sales tax measure by over two-thirds majority to raise money for SMART. So it has the support of the community when a simple majority votes on a tax measure like that.

Not only is SMART a train, but the project also includes 70 miles of bike and pedestrian paths to run alongside the tracks, which revolutionizes transportation in my district.

Unfortunately, while SMART received nearly $2 million in last year's Transportation-HUD bill, there are no funds in this bill this year, and it is my hope that as SMART moves into the New Starts process that the chairman will work with me to support this important transportation project.

Mr. OLVER. I thank the gentlewoman for bringing this matter to my attention. This is a good project. I support it, and I will be glad to work with the gentlewoman from California on this as it moves into the New Starts process.

Ms. WOOLSEY. I thank the chairman.

Mr. LATHAM. I continue to reserve.

Mr. OLVER. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma (Mr. BOREN).

Mr. BOREN. Mr. Chairman, thank you for your hard work on this legislation and also your support for Indian country in Oklahoma for many years.

I would like to bring to the gentleman's attention an inequity and an inefficiency that currently exists within the Federal programs that assist local transit agencies with their capital projects such as buses and garages. Specifically, for alternative fuel transit buses, the Federal share is 80 percent of the capital cost of a standard diesel, plus 90 percent for the cost of vehicle-related compliance with the Clean Air Act, often referred to as the incremental cost.

In short, blending the percentages, grantees may apply for an 83 percent Federal share of the total vehicle cost. This was based on the policy that such buses contribute generally to cleaner air and maintaining compliance with the Federal air quality standards.

I would like to ask the gentleman if I'm correct in stating that this bill includes a provision that allows a 90 percent Federal share for the entire cost of a biodiesel bus?

Mr. OLVER. Mr. Chairman, the gentleman from Oklahoma is correct. Section 164 of this bill allows that.

Mr. BOREN. I understand that this biodiesel provision was included in this and several past Transportation appropriations bills for air quality and petroleum displacement reasons. However, I would like to suggest to the chairman, there is no reason not to extend the same 90 percent of the total vehicle cost benefits offered to a biodiesel bus to a natural gas bus. Natural gas-powered buses produce 22 percent less greenhouse gases than comparable standard diesel buses, and they have a proven track record of displacing imported petroleum.

It is my hope that the gentleman would be willing to work with me on this issue to provide 90 percent of the total vehicle cost to natural gas buses.

The CHAIR. The time of the gentleman has expired.

Mr. OLVER. I yield the gentleman 1 additional minute.

Mr. BOREN. That would help transit agencies accelerate the replacement of existing diesel buses with new, fuel-efficient, alternative fueled ones. This change would make a significant contribution in America's strategy for energy independence and global climate change.

Simultaneously, it would ensure clean air and the health of our citizens, and contribute to the growth of our economy.

Mr. OLVER. I appreciate the gentleman's attention to this issue. I understand that the House authorizing committee is examining this in the context of their multiyear surface transportation reauthorization bill. In the meantime, I will be happy to work with the gentleman from Oklahoma to address this issue as we move forward in this process and conference this bill with the Senate.

Mr. BOREN. I thank the chairman for his willingness to work with me on this issue.

Mr. LATHAM. I continue to reserve.

Mr. OLVER. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I thank the chairman very much and the ranking member.

I rise to support the rule that has already passed and the underlying bill.

Mr. Chairman, this is a very important step forward for the infrastructure of America, covering transportation and housing, and housing is part of infrastructure. It creates a holistic neighborhood.

I want to thank the committee for the Federal Transit Administration $10.48 billion, which will impact the growing metro system as a New Start. I am hoping as we move forward and metro in Houston is defined as a New Start, we will also be able to use and continue to use those stimulus dollars because we are in the process of creating jobs as we speak.

I believe it is very important to support the high-speed, inner city passenger rail grants. We in Texas are working very much on high speed and believe that that is part of the transportation system of tomorrow.

I am also grateful for the airport modernization, safety and efficiency grant of $3.5 billion representing Houston Intercontinental Airport, one of the largest airports in the Nation, modernizing air traffic control. Just recently, we met with our air traffic controllers, and I would hope as we make our way through this particular legislation we'll also focus on encouraging the FAA to be able to work on the negotiations with the air traffic controllers for a better quality of life, better work conditions.

I am grateful as well for the number of dollars being put in for vouchers for homeless veterans, $75 million for homeless veterans; 10,000 of those veterans will be served, $1.3 million for low-income housing. In addition, I'm delighted that we're working for more

affordable housing. We in the City of Houston are in great need, and I've been working on affordable housing for a long time.

I hope in the dollars that are going to our communities we also will be using them for what we call senior housing repair. In many of our cities, our housing stock is enormously old. It impacts our seniors, and they're in great need.

The CHAIR. The time of the gentlewoman has expired.

Mr. OLVER. I yield 15 seconds to the gentlewoman.

Ms. JACKSON-LEE of Texas. I thank the gentleman very much.

I have a large population of public housing—we call it housing development—and I'm very grateful that $4.8 billion has been implemented or used for that, $200 million above the President, $345 million above 2009 for maintenance and crime prevention and energy costs, two very important aspects.

Let me just say by concluding I thank the gentleman for his work and for his housing efforts.

Mr. LATHAM. I continue to reserve.

Mr. OLVER. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. BERMAN) for a colloquy.

Mr. BERMAN. I thank the chairman of the subcommittee, Mr. OLVER, for yielding to me to engage in a colloquy about the importance of ensuring the fairness and objectivity of the FAA's curfew application process.

I am pleased to be joined by my good friend Mr. SCHIFF who, like me, has many constituents who are greatly affected by nighttime operations at Burbank airport.

Both Burbank Bob Hope Airport and Van Nuys Airport have been actively studying nighttime flight curfews on Stage III aircraft. The Burbank-Glendale-Pasadena Airport Authority has already submitted its completed Part 161 application to the FAA requesting a nighttime curfew.

As both Mr. SCHIFF and I know, the FAA has been all-too-willing to simply disregard the impact that nighttime flight operations have on communities living by these airports. I have constituents whose sleep is routinely disturbed by aircraft taking off or landing at all hours of the night from Burbank and Van Nuys airports.

I look forward to working with the gentleman and the authorizing committee in the future to ensure that the FAA gives fair consideration to the concerns of those who must live with airport noise day in and out.

I yield, if I may, to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. I thank the gentleman from California for yielding.

I am pleased that for the first time in 17 years the FAA has deemed the Part 161 nighttime curfew application officially complete. This is a big step in the right direction and shouldn't be overlooked.

I strongly believe that Bob Hope Airport in Burbank, California, has met the criteria for a curfew set by law and that a curfew would impact a relatively small number of diverted flights while delivering significant reductions in both the noise impact to surrounding communities and the cost associated with sound mitigation.

However, I share my colleague's concern that the FAA has not been serious about moving forward with mandatory curfews, despite congressional intent when Part 161 was signed into law. I look forward to working with Chairman Olver and the authorizing committee to ensure that Part 161 has the meaning and credibility and that the process is real and can lead to results.

The CHAIR. The time of the gentleman has expired.

Mr. OLVER. I yield the gentleman 1 additional minute, and would the gentleman yield?

Mr. BERMAN. I certainly yield to the chairman.

Mr. OLVER. I appreciate the remarks of the two gentlemen about the effects of airport noise on local communities and agree that the FAA has a responsibility to adequately and objectively weigh the concerns of those adversely impacted by nighttime takeoff and landings.

While I can't comment as to the specifics of the Burbank and Van Nuys curfew studies, I agree that the Part 161 process must serve as a credible and objective avenue for evaluating the merits of noise and access restrictions.

Mr. BERMAN. Reclaiming my time, I thank the chairman very much.

Mr. LATHAM. I continue to reserve, please.

Mr. OLVER. Could I inquire how much time there is available?

The CHAIR. The gentleman from Massachusetts has 10½ minutes remaining. The gentleman from Iowa has 8½ minutes remaining.

Mr. OLVER. Mr. Chairman, I yield 1 minute to the gentleman from Iowa (Mr. BRALEY) for the purposes of a colloquy.

Mr. BRALEY of Iowa. Mr. Chair, first let me thank the gentleman from Massachusetts for his hard work and dedication to moving our Nation forward in the area of transportation and all the other issues he tackles each and every day, including those he tackles with my colleague from Iowa. This bill is going to help millions of Americans, and I am pleased to support it.

I rise today in strong support of the Olver amendment to the Transportation-HUD Appropriations Act. I'm pleased to have helped secure an increase of $3 million in this amendment for the Federal Railroad Administration's railroad research and development account. This additional money could be used for any number of research projects, including a biolubricants research study that was authorized in the Rail Safety Improvement Act of 2008, as well as other authorized activities.

The widespread use of biolubricants in the rail industry will help us reduce our dependency on foreign oil and reduce our national addiction to petroleum imports. If all industrial lubricants used annually in the United States could be replaced with biobased versions, over 2 billion gallons of petroleum per year would be replaced.

□ 1345

I look forward to seeing the FRA workup with ag-based lubricant testing facilities to see that this study is carried out.

The CHAIR. The time of the gentleman has expired.

Mr. OLVER. I yield myself 1 minute. I assure the gentleman from Iowa that we will work together with the Federal Rail Administration to implement the 2008 Authorization Act.

Mr. LATHAM. I have no additional speakers and, again, I want to personally thank the chairman for his consideration and again say thank you to the great staff that we have on both sides of the aisle. It's been a real pleasure working with you. I appreciate it.

I yield back the balance of my time.

Mr. OLVER. I thank the gentleman from Iowa for his kindness and for his hard work and I certainly, again, join him in thanking the very fine staff who worked together very well in crafting this legislation.

It is a good bill. I believe it is a bill that deserves the support of the vast majority of the Members of the Congress.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I want to thank the leadership of the Transportation Appropriations Subcommittee for their work on this bill.

Our Nation's transportation system is at a crossroads. Now is not the time to scale back funding efforts to address our country's deteriorating infrastructure, worsening traffic congestion, poor air quality, energy use, and investments in high speed rail. These issues are all interrelated and will impact our economy, global competitiveness, and sustainability. The appropriations bill before us today is a good one; however, it represents a mere down payment towards addressing the critical infrastructure needs of this country. In my state, these needs are readily apparent.

The State of Texas has one of the most extensive surface transportation networks in the world. Texas has more than ten thousand miles of railtrack; more than three hundred thousand miles of roadway; and more than fifty-thousand bridges—more than any other state in the nation. Financing challenges, coupled with exploding population and trade growth, are creating a perfect storm that is pushing Texas' transportation network to its breaking point. In the absence of increased funding and innovative policies, the weight of these particular challenges will adversely impact the quality of life for my constituents and citizens throughout the state.

It is imperative that we as a body focus our attention on investing in a truly national transportation system in order to address the impending infrastructure crisis. Our ports are not able to handle the volume of freight entering the United States, railroads and highways are overwhelmed with freight and delayed by bottlenecks, and intermodal facilities need to be improved to facilitate greater efficiency. With

projected increases in imports over the next several decades, we have but a small window to make infrastructure improvements to ensure America is able to sustain its global competitiveness.

As I close, I would like to thank the subcommittee for including funding in the bill for Dallas Area Rapid Transit (DART) and the Interstate–30 Bridge Project in my congressional district. This funding will help advance these noteworthy projects and improve mobility for my constituents. I also want to thank the subcommittee for their inclusion of high speed rail funding. Relative to other developed nations, the United States ranks dead last with regards to developed high speed rail corridors. The demand in Texas for high speed rail is great, and the funding included in the bill will greatly aid high speed rail efforts in my state.

Just last week, the Texas Department of Transportation announced project requests to the U.S. Department of Transportation totaling $1.9 billion dollars under the American Recovery and Reinvestment Act (ARRA). The high speed rail funding reflected in the bill is warranted and it is my intent to oppose the amendment offered by the gentleman from Iowa, Mr. Latham, aimed at reducing funding for this account.

I support H.R. 3288.

Mr. BLUMENAUER. Mr. Chair, the Department of Transportation estimates that the Highway Trust Fund will run short of funds this August, and that Congress will have to transfer $5–7 billion to it to avoid a shortfall. This shortfall is occurring because the gas tax is becoming obsolete. As vehicles become more fuel efficient, they increase the demand on our transportation system, without contributing as much to its maintenance. The current revenue system has lost 33% of its purchasing power during the last 15 years, today generating only two-thirds of the revenues needed to maintain current levels of investment. Until we tie our transportation revenues to our transportation demands, this situation will worsen.

Failure to adequately fund transportation infrastructure imposes huge costs on American citizens and businesses:

Congestion costs urban Americans 4.2 billion hours and 2.8 billion unnecessary gallons of fuel each year; expressed in dollar terms this is $87.2 billion, or $757 per traveler.

Roughly 40,000 people every year are killed on our streets and highways, with 2.5 million more injured, at a staggering annual economic cost to society.

Higher transportation costs and higher inventory carrying costs—partially attributable to an unreliable transportation system—have pushed logistics costs to nearly 10% of GDP.

Failure to act puts America on hold, when we should be putting America to work.

It is time we sought out innovative solutions to this challenging problem. The Oregon Department of Transportation successfully tested a model where they charged drivers for the number of miles they traveled rather than the fuel they consumed. The test was convenient for drivers, protected personal privacy, and proved easily administrable. This concept was also highlighted by two blue ribbon commissions established in the prior transportation authorization. The National Surface Transportation Policy and Revenue Study Commission noted that a vehicle miles traveled charge is "the most promising alternative revenue measure" to our existing gas tax, while the National Surface Transportation Infrastructure Financing Commission reported that "a charge for each mile driven . . . has emerged as the consensus choice for the future." Both commissions found that this system was efficient at raising revenue, closely linked system demand to revenues, and could win broad public support.

My legislation calls on the Department of the Treasury to study the viability of this revenue source in every State. While evaluating mileage based revenue sources, Treasury will ensure the system protects privacy and is simple to administer. It will also convene working groups to address the most complex aspects of this transition, including road use, demand management and climate change, and technological needs. Finally, the bill creates a grant program to ensure the necessary technology is available.

The condition of our national highway and transit systems and the maintenance of our infrastructure, and the investments that we make in these systems, touch the life of every American, strengthen our economy, and protect our environment. I look forward to working with my colleagues to pass this important legislation.

Mr. HOYER. Mr. Chair, I rise in strong support of the Fiscal 2010 Transportation, Housing, and Urban Development Appropriations Act. This bill takes great strides to help the neediest Americans secure shelter in trying economic times. It also makes important investments in strong and user-friendly transportation systems, including our highways, airports, passenger rail lines, and transit networks.

But I particularly want to thank Chairmen OBEY and OLVER for including in this bill $150 million to fund vitally needed capital and preventive maintenance improvements for the Washington Area Metropolitan Transit Authority, in accordance with legislation we passed last year authorizing $1.5 billion for WMATA over the next 10 years. It has long been clear that America's Subway deserves a strong federal commitment. After all, it serves the millions of visitors who come to visit our nation's capital, and it is the primary public transportation system servicing the federal employees who keep our government running. But with a ridership that continues to grow, WMATA's General Manager made it clear that the system requires more than $11 billion in capital improvements from 2011 to 2020 to keep running. Without those funds, the system's aging infrastructure will continue to deteriorate.

The bill includes language directing WMATA to use the funds to first address immediate safety shortfalls identified by the National Transportation Safety Board, which include, but are not limited to, the improved crashworthiness of the agency's rail car fleet and the maintenance and modernization of WMATA's signal and automatic train control systems. The importance of those systems was vividly and painfully demonstrated in last month's Metro crash, which took the lives of nine commuters. For the sake of all those who rely on Metro, we must ensure that its safety meets the highest standard.

I urge my colleagues to support this strong appropriations bill and make clear our commitment to the efficiency and safety of America's Subway.

Mr. GENE GREEN of Texas. Mr. Chair, I rise in strong support of this bill that provides important funding for national priorities, as well as regional projects including major projects in Harris County, TX we have been working on for years. The bill makes needed investments in transportation projects, housing projects, foreclosure prevention, and numerous other priorities.

One of the most significant projects that was included because of the benefits it will provide our district and the surrounding area is the funding for Houston METRO. This was funding our office requested, was in the President's requests, and was funded at $75 million each for the North and Southeast Corridor Projects. FY2010 activities include final design, land acquisition, and construction for the first segments on these two lines.

Also included in the bill was $400,000 for the flyover connecting HWY 146 and Spur 330. While this is a fraction of what I requested, it should allow additional design and planning on the project to begin. Our district encompasses a significant portion of the hurricane-threatened Gulf Coast of Texas. The State-mandated evacuation plan calls for the 70,000 residents of Baytown to travel south on Highway 146 to Spur 330 and to turn north for travel to Interstate 10. There is a direct connector from Spur 330 to I–10 westbound, however there is a major pinch point at the intersection of Highway 146 and Spur 330. All the evacuating residents must exit the main lanes and travel through three signalized intersections before reconnecting with a limited access highway.

Not only do these intersections create a bottleneck for evacuees, they also make it difficult for local emergency personnel to cross while preparing for and responding to an approaching emergency. All areas south of Highway 146 are in the storm surge zone, making evacuation mandatory, not voluntary. Our district also encompasses the entire Houston Ship Channel area and the resulting threats associated with these vital energy complexes. In addition to the evacuation criticality of this flyover, the efficient and safe movement of hazardous materials by the elimination of local traffic interaction will benefit a large portion of the District. I look forward to working with the Chairman in the future to ensure this critical project receives additional funding.

There was also $200,000 included to acquire property along Buffalo Bayou's East Sector to create park land for continued development of the Buffalo Bayou greenway. The Buffalo Bayou Greenway Initiative promotes the economic development of Houston's innercity. The project has a major quality of life impact on not only the East End but on the entire Houston region, and I am pleased the Committee continued to provide federal funding to progress this ongoing effort. The project is taking abandoned property that is no longer viable for industrial use and transforming it into park space that is providing residents with recreational and environmental education opportunities.

Mr. Chair, I fully support this bill that provides increased resources for our nation's transportation needs, as well as strengthening social safety nets for those most in need. I urge all my colleagues to join me in supporting the passage of H.R. 3288.

Mr. OLVER. I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill is considered read for amendment under the 5-minute rule and the bill shall be considered read through page 160, line 6.

The text of that portion of the bill is as follows:

H.R. 3288

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $102,556,000, of which not to exceed $2,631,000, shall be available for the immediate Office of the Secretary; not to exceed $986,000, shall be available for the immediate Office of the Deputy Secretary; not to exceed $20,359,000, shall be available for the Office of the General Counsel; not to exceed $11,100,000, shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $10,559,000, shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,440,000, shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $25,520,000, shall be available for the Office of the Assistant Secretary for Administration; not to exceed $2,055,000, shall be available for the Office of Public Affairs; not to exceed $1,658,000, shall be available for the Office of the Executive Secretariat; not to exceed $1,433,000, shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed $10,600,000, shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed $13,215,000 shall be available for the Office of the Chief Information Officer: *Provided*, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That not to exceed $60,000, shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further*, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000, in funds received in user fees: *Provided further*, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs.

FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation's financial systems, and reengineering business processes, $5,000,000, to remain available until expended.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $9,667,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $14,733,000.

WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $147,569,000, shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency modal administrator: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans for short-term working capital, $342,000, as authorized by 49 U.S.C. 332: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $18,367,000. In addition, for administrative expenses to carry out the guaranteed loan program, $570,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, $3,074,000, to remain available until September 30, 2011: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

In addition to funds made available from any other source to carry out the Essential Air Service Program pursuant to 49 U.S.C. 41731 through 41742, $125,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That, in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further*, That, if the funds under this heading are insufficient to meet the costs of the Essential Air Service Program in the current fiscal year, the Secretary shall transfer such sums as may be necessary to carry out the Essential Air Service Program from any available amounts appropriated to or directly administered by the Office of the Secretary for such fiscal year.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 102. None of the funds made available under this Act may be obligated or expended to establish or implement a program under which essential air service communities are required to assume subsidy costs commonly referred to as the EAS local participation program.

SEC. 103. The Secretary or his or her designee may engage in activities with States and State legislators to consider proposals related to the reduction of motorcycle fatalities.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 108–176, $9,347,168,000, of which $5,190,798,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed $7,300,739,000 shall be available for air traffic organization activities; not to exceed $1,231,765,000 shall be available for aviation safety activities; not to exceed $14,737,000 shall be available for commercial space transportation activities; not to exceed $113,681,000 shall be available for financial services activities; not to exceed $100,428,000 shall be available for human resources program activities; not to exceed $341,977,000 shall be available for region and center operations and regional coordination activities; not to exceed $190,063,000 shall be available for staff offices; and not to exceed $49,778,000 shall be available for information services: *Provided*, That not to exceed 2 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation by more than 2 percent: *Provided further*, That any transfer in excess of 2 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That the Secretary utilize not less than $17,084,000 of the funds provided for aviation safety activities to pay for staff increases in the Office of Aviation Flight Standards and the Office of Aircraft Certification: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108–176: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation as offsetting collections funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, including funds from fees authorized under Chapter 453 of title 49, United

States Code, other than those authorized by Section 45301(a)(1) of that title, which shall be available for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, not less than $9,500,000 shall be for the contract tower cost-sharing program: *Provided further*, That of the funds available under this heading not to exceed $500,000 shall be provided to the Department of Transportation's Office of Inspector General through reimbursement to conduct the annual audits of financial statements in accordance with section 3521 of title 31, United States Code, and not to exceed $120,000 shall be provided to that office through reimbursement to conduct the annual Enterprise Services Center Statement on Auditing Standards 70 audit: *Provided further*, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of National Airspace Systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, $2,925,202,000, of which $2,455,202,000 shall remain available until September 30, 2012, and of which $470,000,000 shall remain available until September 30, 2010: *Provided*, That there may be credited to this appropriation as offsetting collections funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred in the establishment and modernization of air navigation facilities: *Provided further*, That upon initial submission to the Congress of the fiscal year 2011 President's budget, the Secretary of Transportation shall transmit to the Congress a comprehensive capital investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2011 through 2015, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $195,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2012: *Provided*, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $3,000,000,000 to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,515,000,000 in fiscal year 2010, notwithstanding section 47117(g) of title 49, United States Code: *Provided further*, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further*, That notwithstanding any other provision of law, of funds limited under this heading, not more than $93,422,000 shall be obligated for administration, not less than $15,000,000 shall be available for the airport cooperative research program, not less than $22,472,000 shall be for Airport Technology Research.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

SEC. 110. None of the funds in this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2010.

SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided*, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on ''below-market'' rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 112. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49 U.S.C. 45303: *Provided*, That during fiscal year 2010, 49 U.S.C. 41742(b) shall not apply, and any amount remaining in such account at the close of that fiscal year may be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 114. (a) Section 44302(f)(1) of title 49, United States Code, is amended—

(1) by striking ''September 30, 2009,'' and inserting ''September 30, 2010,''; and

(2) by striking ''December 31, 2009,'' and inserting ''December 31, 2010,''.

(b) Section 44303(b) of such title is amended by striking ''December 31, 2009,'' and inserting ''December 31, 2010,''.

SEC. 115. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

SEC. 116. None of the funds limited by this Act for grants under the Airport Improvement Program shall be made available to the sponsor of a commercial service airport if such sponsor fails to agree to a request from the Secretary of Transportation for cost-free space in a non-revenue producing, public use area of the airport terminal or other airport facilities for the purpose of carrying out a public service air passenger rights and consumer outreach campaign.

SEC. 117. None of the funds in this Act shall be available for paying premium pay under 5 U.S.C. 5546(a) to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

SEC. 118. None of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Not to exceed $413,533,000, together with advances and reimbursements received by the Federal Highway Administration, shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration for necessary expenses for administration and operation. In addition, not to exceed $3,524,000 shall be paid from appropriations made available by this Act and transferred to the Department of Transportation's Office of Inspector General for costs associated with audits and investigations of projects and programs of the Federal Highway Administration, and not to exceed $285,000 shall be paid from appropriations made available by this Act and provided to that office through reimbursement to conduct the annual audits of financial statements in accordance with section 3521 of title 31, United States Code. In addition, not to exceed $3,220,000 shall be paid from appropriations made available by this Act and transferred to the Appalachian Regional Commission in accordance with section 104 of title 23, United States Code.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of $41,107,000,000 for Federal-aid highways and highway safety construction programs for fiscal year 2010: *Provided*, That within the $41,107,000,000 obligation limitation on Federal-aid highways and highway safety construction programs, not more than $429,800,000 shall be available for the implementation or execution of programs for transportation research (chapter 5 of title 23, United States Code; sections 111, 5505, and 5506 of title 49, United States Code; and title

5 of Public Law 109–59) for fiscal year 2010: *Provided further*, That this limitation on transportation research programs shall not apply to any authority previously made available for obligation: *Provided further*, That the Secretary may, as authorized by section 605(b) of title 23, United States Code, collect and spend fees to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: *Provided further*, That such fees are available until expended to pay for such costs: *Provided further*, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For carrying out the provisions of title 23, United States Code, that are attributable to Federal-aid highways, not otherwise provided, including reimbursement for sums expended pursuant to the provisions of 23 U.S.C. 308, $41,846,000,000 or so much thereof as may be available in and derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

SURFACE TRANSPORTATION PRIORITIES

For the necessary expenses of certain highway and surface transportation projects, $125,700,000, to remain available until expended: *Provided*, That the amount provided under this heading shall be made available for the eligible programs, projects, and activities identified under this heading in the report accompanying this Act: *Provided further*, That a project is an eligible project under this heading if the project is eligible for assistance under title 23 or chapter 53 of title 49, United States Code: *Provided further*, That funds provided under this heading shall be administered in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, and the Federal share payable on account of any program, project, or activity carried out with funds made available under this heading shall be determined in accordance with section 120(b) of title 23, United States Code: *Provided further*, That notwithstanding any other provision of law and the preceding clauses of this provision, the Secretary of Transportation may use amounts made available under this heading to make grants for any surface transportation project otherwise eligible for funding under title 23 or title 49, United States Code.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

SEC. 120. (a) For fiscal year 2010, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; programs funded from the administrative takedown authorized by section 104(a)(1) of title 23, United States Code (as in effect on the day before the date of enactment of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users); the highway use tax evasion program; and the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highways and highway safety programs for previous fiscal years the funds for which are allocated by the Secretary;

(3) determine the ratio that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2), bears to

(B) the total of the sums authorized to be appropriated for Federal-aid highways and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (9) of subsection (b) and sums authorized to be appropriated for section 105 of title 23, United States Code, equal to the amount referred to in subsection (b)(10) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4)(A) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for sections 1301, 1302, and 1934 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users; sections 117 (but individually for each project numbered 1 through 3676 listed in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users) and section 144(g) of title 23, United States Code; and section 14501 of title 40, United States Code, so that the amount of obligation authority available for each of such sections is equal to the amount determined by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for that section for the fiscal year; and

(B) distribute $2,000,000,000 for section 105 of title 23, United States Code;

(5) distribute the obligation limitation provided for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraph (4), for each of the programs that are allocated by the Secretary under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users and title 23, United States Code (other than to programs to which paragraphs (1) and (4) apply), by multiplying the ratio determined under paragraph (3) by the amounts authorized to be appropriated for each such program for such fiscal year; and

(6) distribute the obligation limitation provided for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraphs (4) and (5), for Federal-aid highways and highway safety construction programs (other than the amounts apportioned for the equity bonus program, but only to the extent that the amounts apportioned for the equity bonus program for the fiscal year are greater than $2,639,000,000, and the Appalachian development highway system program) that are apportioned by the Secretary under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users and title 23, United States Code, in the ratio that—

(A) amounts authorized to be appropriated for such programs that are apportioned to each State for such fiscal year, bear to

(B) the total of the amounts authorized to be appropriated for such programs that are apportioned to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations: (1) under section 125 of title 23, United States Code; (2) under section 147 of the Surface Transportation Assistance Act of 1978; (3) under section 9 of the Federal-Aid Highway Act of 1981; (4) under subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982; (5) under subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987; (6) under sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991; (7) under section 157 of title 23, United States Code, as in effect on the day before the date of the enactment of the Transportation Equity Act for the 21st Century; (8) under section 105 of title 23, United States Code, as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years; (9) for Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century or subsequent public laws for multiple years or to remain available until used, but only to the extent that the obligation authority has not lapsed or been used; (10) under section 105 of title 23, United States Code, but only in an amount equal to $639,000,000 for each of fiscal years 2005 through 2010; and (11) under section 1603 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation.

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year, revise a distribution of the obligation limitation made available under subsection (a) if the amount distributed cannot be obligated during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 104 and 144 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and title V (research title) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, except that obligation authority made available for such programs under such limitation shall remain available for a period of 3 fiscal years and shall be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of the distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid highways programs; and

(B) the Secretary determines will not be allocated to the States, and will not be available for obligation, in such fiscal year due to the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same ratio as the distribution of obligation authority under subsection (a)(6).

(3) AVAILABILITY.—Funds distributed under paragraph (1) shall be available for any purposes described in section 133(b) of title 23, United States Code.

(f) SPECIAL LIMITATION CHARACTERISTICS.—Obligation limitation distributed for a fiscal year under subsection (a)(4) for the provision specified in subsection (a)(4) shall—

(1) remain available until used for obligation of funds for that provision; and

(2) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(g) HIGH PRIORITY PROJECT FLEXIBILITY.—

(1) IN GENERAL.—Subject to paragraph (2), obligation authority distributed for such fiscal year under subsection (a)(4) for each project numbered 1 through 3676 listed in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users may be obligated for any other project in such section in the same State.

(2) RESTORATION.—Obligation authority used as described in paragraph (1) shall be restored to the original purpose on the date on which obligation authority is distributed under this section for the next fiscal year following obligation under paragraph (1).

(h) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to limit the distribution of obligation authority under subsection (a)(4)(A) for each of the individual projects numbered greater than 3676 listed in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users.

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to 49 U.S.C. 111 may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction.

SEC. 122. (a) IN GENERAL.—Except as provided in subsection (b), none of the funds made available, limited, or otherwise affected by this Act shall be used to approve or otherwise authorize the imposition of any toll on any segment of highway located on the Federal-aid system in the State of Texas that—

(1) as of the date of enactment of this Act, is not tolled;

(2) is constructed with Federal assistance provided under title 23, United States Code; and

(3) is in actual operation as of the date of enactment of this Act.

(b) EXCEPTIONS.—

(1) NUMBER OF TOLL LANES.—Subsection (a) shall not apply to any segment of highway on the Federal-aid system described in that subsection that, as of the date on which a toll is imposed on the segment, will have the same number of non-toll lanes as were in existence prior to that date.

(2) HIGH-OCCUPANCY VEHICLE LANES.—A high-occupancy vehicle lane that is converted to a toll lane shall not be subject to this section, and shall not be considered to be a non-toll lane for purposes of determining whether a highway will have fewer non-toll lanes than prior to the date of imposition of the toll, if—

(A) high-occupancy vehicles occupied by the number of passengers specified by the entity operating the toll lane may use the toll lane without paying a toll, unless otherwise specified by the appropriate county, town, municipal or other local government entity, or public toll road or transit authority; or

(B) each high-occupancy vehicle lane that was converted to a toll lane was constructed as a temporary lane to be replaced by a toll lane under a plan approved by the appropriate county, town, municipal or other local government entity, or public toll road or transit authority.

SEC. 123. (a) In the explanatory statement referenced in section 129 of division K of Public Law 110–161 (121 Stat. 2388), the item relating to ''Route 5 Overpass and River Center, St. Mary's County, MD'' in the table of projects for such section 129 is deemed to be amended by striking '' 'Route 5 Overpass and River Center, St. Mary's County, MD'' and inserting ''Safety Improvements and Traffic Calming Measures along Route 5 at St. Mary's County, MD''.

(b) In the explanatory statement referenced in section 186 of title I of division I of Public Law 111–8 (123 Stat. 947), the item relating to ''US 422 River Crossing Complex Project, King of Prussia, PA'' in the table of projects under the heading ''Transportation, Community, and System Preservation Program'' is deemed to be amended by striking ''US 422 River Crossing Complex Project, King of Prussia, PA'' and inserting ''For closed loop signal control system and other improvements for Trooper Road in Lower Providence and West Norriton Townships, Montgomery County, PA''.

(c) In the explanatory statement referenced in section 186 of title I of division I of Public Law 111–8 (123 Stat. 947), the item relating to ''Improving the West Bank River Front, IL'' in the table of projects under the heading ''Transportation, Community, and System Preservation Program'' is deemed to be amended by striking ''Improving the West Bank River Front, IL'' and inserting ''East Bank River Front and Bikeway Improvements, IL''.

(d) In the explanatory statement referenced in section 186 of title I of division K of Public Law 110–161 (121 Stat. 2406), as amended by section 129(d) of division I of Public Law 111–8 (123 Stat. 947), the item relating to ''Repair of Side Streets and Relocation of Water Mains resulting from rerouting of traffic and reconstruction of 159th Street in Harvey, IL'' in the table of projects under the heading ''Transportation, Community, and System Preservation Program'' is deemed to be amended by striking ''Repair of Side Streets and Relocation of Water Mains resulting from rerouting of traffic and reconstruction of 159th Street in Harvey, IL'' and inserting ''Intersection Improvements on Crawford Avenue and 203rd Street in the Village of Olympia Fields, IL''.

(e) In the explanatory statement referenced in section 129 of division K of Public Law 110–161 (121 Stat. 2388), the item relating to ''Study Improvements to 109th Avenue, Winfield, IN'' in the table of projects for such section 129 is deemed to be amended by striking ''Winfield, IN'' and inserting ''Town of Winfield, City of Crown Point, Lake County, IN''.

(f) In the explanatory statement referenced in section 186 of title I of division I of Public Law 111–8 (123 Stat. 947), the item relating to ''Ronald Reagan Parkway (Middle and Southern segments), Boone County, IN'' in the table of projects under the heading ''Transportation, Community, and System Preservation Program'' is deemed to be amended by striking ''Boone County'' and inserting ''Hendricks County''.

(g) In the explanatory statement referenced in section 186 of title I of division I of Public Law 111–8 (123 Stat. 947), the item relating to ''Onville Road Intersection and Road-Widening Project, Prince William County, VA'' in the table of projects under the heading ''Federal Lands'' is deemed to be amended by striking ''Prince William'' and inserting ''Stafford''.

(h) In the explanatory statement referenced in section 186 of title I of division I of Public Law 111–8 (123 Stat. 947), the item relating to ''U.S. 59/Alabama Grade Separation Project, St. Joseph, MO'' in the table of projects under the heading ''Interstate Maintenance Discretionary'' is deemed to be amended by striking ''U.S. 59/Alabama Grade Separation Project, St. Joseph, MO'' and inserting ''I-29 Interchange Reconstruction in St. Joseph, MO''.

(i) In the explanatory statement referenced in section 186 of title I of division I of Public Law 111–8 (123 Stat. 947), the item relating to ''Decking and Sidewalk Replacement on the Central Avenue Overpass, South Charleston, WV'' in the table of projects under the heading ''Interstate Maintenance Discretionary'' is deemed to be amended by striking ''Decking and Sidewalk Replacement on the Central Avenue Overpass, South Charleston, WV'' and inserting ''General Interstate Maintenance, WV''.

(j) In the explanatory statement referenced in section 125 of title I of division I of Public Law 111–8 (123 Stat. 928), the item relating to ''Wapsi Great Western Line Trail, Mitchell County, IA'' is deemed to be amended by striking ''Mitchell County'' and inserting ''Mitchell and Howard Counties''.

(k) In the explanatory statement referenced in section 125 of title I of division I of Public Law 111–8 (123 Stat. 928), the item relating to ''Highway 169 Corridor Project Environmental Assessment, Preliminary Engineering and Planning, Humboldt, IA'' is deemed to be amended by striking ''Corridor Project Environmental Assessment, Preliminary Engineering and Planning, Humboldt, IA'' and inserting ''Construction, Humboldt and Webster Counties, IA''.

(l) In the explanatory statement referenced in section 125 of title I of division I of Public Law 111–8 (123 Stat. 928), the item relating to ''Highway 53 Interchanges, WI'' is deemed to be amended by striking ''Interchanges'' and inserting ''Intersections''.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31104(i) of title 49, United States Code, and sections 4127 and 4134 of Public Law 109–59, $239,828,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration: *Provided*, That none of the funds derived from the Highway Trust Fund in this Act shall be available for the implementation, execution or administration of programs, the obligations for which are in excess of $239,828,000, for ''Motor Carrier Safety Operations and Programs'', of which $8,500,000, is for the research and technology program to remain available for obligation until September 30, 2011, and $1,000,000 shall be available for commercial motor vehicle operator's grants to carry out section 4134 of Public Law 109–59: *Provided further*, That notwithstanding any other provision of law, none of the funds under this heading for outreach and education shall be available for transfer: *Provided further*, That the Federal Motor Carrier Safety Administration shall transmit to Congress a report on March 30, 2010, and September 30, 2010, on the agency's ability to meet its requirement to conduct compliance reviews on high-risk carriers.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out sections 31102, 31104(a), 31106, 31107, 31109, 31309, 31313 of title 49, United

States Code, and sections 4126 and 4128 of Public Law 109–59, $310,070,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of $310,070,000, for ''Motor Carrier Safety Grants''; of which $212,070,000 shall be available for the motor carrier safety assistance program to carry out sections 31102 and 31104(a) of title 49, United States Code; $25,000,000, shall be available for the commercial driver's license improvements program to carry out section 31313 of title 49, United States Code; $32,000,000, shall be available for the border enforcement grants program to carry out section 31107 of title 49, United States Code; $5,000,000, shall be available for the performance and registration information system management program to carry out sections 31106(b) and 31109 of title 49, United States Code; $25,000,000, shall be available for the commercial vehicle information systems and networks deployment program to carry out section 4126 of Public Law 109–59; $3,000,000, shall be available for the safety data improvement program to carry out section 4128 of Public Law 109–59; and $8,000,000, shall be available for the commercial driver's license information system modernization program to carry out section 31309(e) of title 49, United States Code: *Provided further*, That of the funds made available for the motor carrier safety assistance program, $29,000,000, shall be available for audits of new entrant motor carriers.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 135. Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107–87 and section 6901 of Public Law 110–28, including that the Secretary submit a report to the House and Senate Appropriations Committees annually on the safety and security of transportation into the United States by Mexico-domiciled motor carriers.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under subtitle C of title X of Public Law 109–59 and chapter 301 and part C of subtitle VI of title 49, United States Code, $131,736,000, of which $32,045,000 shall remain available until September 30, 2011: *Provided*, That none of the funds appropriated by this Act may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the three grading standards (treadwear, traction, and temperature resistance) already in effect.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, $108,642,000 to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2010, are in excess of $108,642,000 for programs authorized under 23 U.S.C. 403: *Provided further*, That within the $108,642,000 obligation limitation for operations and research, $26,908,000 shall remain available until September 30, 2011 and shall be in addition to the amount of any limitation imposed on obligations for future years.

NATIONAL DRIVER REGISTER

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out chapter 303 of title 49, United States Code, $4,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs the total obligations for which, in fiscal year 2010, are in excess of $4,000,000 for the National Driver Register authorized under such chapter.

NATIONAL DRIVER REGISTER

For an additional amount for the ''National Driver Register'' as authorized by chapter 303 of title 49, United States Code, $3,350,000, to remain available through September 30, 2011: *Provided*, That the funding made available under this heading shall be used to carry out the modernization of the National Driver Register.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402, 405, 406, 408, and 410 and sections 2001(a)(11), 2009, 2010, and 2011 of Public Law 109–59, to remain available until expended, $619,500,000 to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2010, are in excess of $619,500,000 for programs authorized under 23 U.S.C. 402, 405, 406, 408, and 410 and sections 2001(a)(11), 2009, 2010, and 2011 of Public Law 109–59, of which $235,000,000 shall be for ''Highway Safety Programs'' under 23 U.S.C. 402; $25,000,000 shall be for ''Occupant Protection Incentive Grants'' under 23 U.S.C. 405; $124,500,000 shall be for ''Safety Belt Performance Grants'' under 23 U.S.C. 406, and such obligation limitation shall remain available until September 30, 2011 in accordance with subsection (f) of such section 406 and shall be in addition to the amount of any limitation imposed on obligations for such grants for future fiscal years; $34,500,000 shall be for ''State Traffic Safety Information System Improvements'' under 23 U.S.C. 408; $139,000,000 shall be for ''Alcohol-Impaired Driving Countermeasures Incentive Grant Program'' under 23 U.S.C. 410; $18,500,000 shall be for ''Administrative Expenses'' under section 2001(a)(11) of Public Law 109–59; $29,000,000 shall be for ''High Visibility Enforcement Program'' under section 2009 of Public Law 109–59; $7,000,000 shall be for ''Motorcyclist Safety'' under section 2010 of Public Law 109–59; and $7,000,000 shall be for ''Child Safety and Child Booster Seat Safety Incentive Grants'' under section 2011 of Public Law 109–59: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: *Provided further*, That not to exceed $500,000 of the funds made available for section 410 ''Alcohol-Impaired Driving Countermeasures Grants'' shall be available for technical assistance to the States: *Provided further*, That not to exceed $750,000 of the funds made available for the ''High Visibility Enforcement Program'' shall be available for the evaluation required under section 2009(f) of Public Law 109–59.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. Notwithstanding any other provision of law or limitation on the use of funds made available under section 403 of title 23, United States Code, an additional $130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws for multiple years but only to the extent that the obligation authority has not lapsed or been used.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $172,533,000, of which $15,300,000 shall remain available until September 30, 2011.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $34,145,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: *Provided*, That pursuant to section 502 of such Act, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2010.

RAIL LINE RELOCATION AND IMPROVEMENT PROGRAM

For necessary expenses of carrying out section 20154 of title 49, United States Code, $40,000,000, to remain available until expended.

CAPITAL ASSISTANCE FOR HIGH SPEED RAIL CORRIDORS AND INTERCITY PASSENGER RAIL SERVICE

To enable the Secretary of Transportation to make passenger rail grants for capital projects as authorized under sections 26106 and 24406 of title 49, United States Code; the acquisition of new rolling stock; and to enter into cooperative agreements for these purposes, $4,000,000,000, to remain available until September 30, 2015: *Provided*, That $50,000,000 of funds provided under this paragraph are available to the Administrator of the Federal Railroad Administration to fund the award and oversight of financial assistance made under this paragraph: *Provided further*, That up to $30,000,000 of the funds provided under this paragraph are available to the Administrator for the purposes of conducting research and demonstrating technologies supporting the development of passenger rail service that is expected to maintain an average speed of 110 miles per hour or is reasonably expected to reach speeds of at least 150

miles per hour, including the implementation of the Rail Cooperative Research Program authorized by section 24910 of title 49, United States Code: *Provided further*, That up to $50,000,000 of the funds provided under this paragraph may be used for planning activities that lead directly to the development of a passenger rail corridor investment plan consistent with the requirements established by the Administrator or a state rail plan consistent with chapter 227 of title 49, United States Code: *Provided further*, That the Secretary shall issue regulations covering application procedures and grant criteria for the passenger rail grants provided under this paragraph: *Provided further*, That the Federal share payable of the costs for which financial assistance is made under this paragraph shall not exceed 80 percent: *Provided further*, That in addition to the provisions of title 49, United States Code, that apply to the passenger rail programs funded under this paragraph, sections 24402(a)(2), 24402(f), 24402(i), and 24403(a) and (c) of title 49, United States Code, shall also apply to the provision of funds provided under this paragraph: *Provided further*, That a project need not be in a state rail plan developed under chapter 227 of title 49, United States Code, to be eligible for assistance under this heading: *Provided further*, That up to $5,000,000 of the funds provided under this paragraph are available to the Administrator for the purposes of implementing section 24316 of title 49, United States Code: *Provided further*, That if legislation authorizing a national infrastructure bank is enacted prior to September 30, 2010, beginning on October 1, 2010, the Secretary of Transportation may use up to $2,000,000,000, of the amount appropriated in this paragraph to carry out such legislation including by transferring funds to the appropriate Federal agency to carry out the national infrastructure bank: *Provided further*, That if legislation enacting a national infrastructure bank is not enacted by September 30, 2010, the Secretary may use an additional $20,000,000 of the funds available under this paragraph for the award and oversight of financial assistance made under this paragraph; *Provided further*, That recipients of grants under this paragraph shall conduct all procurement transactions using such grant funds in a manner that provides full and open competition, as determined by the Secretary, in compliance with existing labor agreements.

OPERATING GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation for the operation of intercity passenger rail, as authorized by section 101(a) of the Passenger Rail Investment and Improvement Act of 2008 (Division B of Pub. L. 110-432), $553,348,000, to remain available until September 30, 2010: *Provided*, That the amounts available under this heading shall be available for the Secretary to approve funding to cover operating losses for the Corporation only after receiving and reviewing a grant request for each specific train route: *Provided further*, That each such grant request shall be accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection justifying the Federal support to the Secretary's satisfaction: *Provided further*, That the Secretary may retain up to one-half of one percent of the funds provided under this heading to implement the Operating Grants to the National Railroad Passenger Corporation in fiscal year 2010: *Provided further*, That the Corporation is directed to achieve savings through operating efficiencies including, but not limited to, modifications to food and beverage service and first class service: *Provided further*, That the Inspector General of the Department of Transportation shall report to the House and Senate Committees on Appropriations beginning 3 months after the date of the enactment of this Act and quarterly thereafter with estimates of the savings accrued as a result of all operational reforms instituted by the Corporation: *Provided further*, That the Inspector General of the Department of Transportation shall provide a report recommending to the House and Senate Committees on Appropriations 180 days after the date of the enactment of this Act on possible operational reforms that could be instituted by the Corporation: *Provided further*, That not later than 120 days after enactment of this Act, the Corporation shall transmit to the House and Senate Committees on Appropriations its Fiscal Year 2011 plan to improve the financial performance of food and beverage service and its plan to improve the financial performance of first class service (including sleeping car service): *Provided further*, That the Corporation shall report quarterly to the House and Senate Committees on Appropriations on its progress against the milestones and target dates contained in its financial performance improvement plan provided in fiscal year 2009 and quantify savings realized to date on a monthly basis compared to those projected in the plan, identify any changes in the plan or delays in implementing these plans, and identify the causes of delay and proposed corrective measures: *Provided further*, That the National Railroad Passenger Corporation shall submit, in electronic format, to the House and Senate Committees on Appropriations, a budget, business plan and a 5-Year Financial Plan beginning with fiscal year 2010, consistent with the provisions of section 204 of the Passenger Rail Investment and Improvement Act of 2008 (Division B of Pub. L. 110-432): *Provided further*, That the budget, business plan and the 5-Year Financial Plan shall also include a separate accounting of targets for the Northeast Corridor; commuter service; long distance Amtrak service; state-supported service; each intercity train route, including Autotrain; and commercial activities including contract operations: *Provided further*, That, these plans shall be accompanied by a comprehensive fleet plan for all Amtrak rolling stock which shall address the Corporation's detailed plans and timeframes for the maintenance, refurbishment, replacement, and expansion of the Amtrak fleet: *Provided further*, That said fleet plan shall establish year-specific goals and milestones and discuss potential, current, and preferred financing options for all such activities: *Provided further*, That the budget, business plan and the 5-Year Financial Plan shall include a description of work to be funded, along with cost estimates and an estimated timetable for completion of the projects covered by these plans: *Provided further*, That the Corporation shall provide monthly reports in electronic format regarding the budget, business plan, and 5-Year Financial Plan, which shall describe the work completed to date, any changes to any plan, and the reasons for such changes, and shall identify all sole source contract awards which shall be accompanied by a justification as to why said contract was awarded on a sole source basis: *Provided further*, That the Corporation's budget, business plan, 5-Year Financial Plan, and all subsequent supplemental plans shall be displayed on the Corporation's website within a reasonable timeframe following their submission to the appropriate entities: *Provided further*, That none of the funds under this heading may be obligated or expended until the Corporation agrees to continue abiding by the provisions of paragraphs 1, 2, 5, 9, and 11 of the summary of conditions for the direct loan agreement of June 28, 2002, in the same manner as in effect on the date of enactment of this Act.

NATIONAL RAILROAD PASSENGER CORPORATION OFFICE OF THE INSPECTOR GENERAL

To enable the Secretary of Transportation to make a grant to the National Railroad Passenger Corporation Office of the Inspector General for auditing the operations and capital expenditures of the National Railroad Passenger Corporation, as authorized by section 101(b) of the Passenger Rail Investment and Improvement Act of 2008 (Division B of Pub. L. 110-432), $19,000,000.

CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation for capital grants supporting intercity passenger services as authorized by section 101(c) of the Passenger Rail Investment and Improvement Act of 2008 (Division B of Pub. L. 110-432), $929,625,000, to remain available until September 30, 2010, of which not to exceed $264,000,000 shall be for debt service obligations as authorized by section 102 of that Act: *Provided*, That in addition to the project management oversight funds authorized under section 101(d) of that Act, the Secretary may retain up to an additional one-half of one percent of the funds provided under this heading to fund expenses associated with implementing sections 208 and 212 of that Act, including the amendments made by section 212 to section 24905 of title 49, United States Code: *Provided further*, That the Secretary shall approve funding for capital expenditures, including advance purchase orders of materials, for the Corporation only after receiving and reviewing a grant request for each specific capital project justifying the Federal support to the Secretary's satisfaction: *Provided further*, That none of the funds under this heading may be used to subsidize operating losses of the Corporation: *Provided further*, That none of the funds under this heading may be used for capital projects not approved by the Secretary of Transportation or on the Corporation's fiscal year 2010 business plan.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 151. The Secretary may purchase promotional items of nominal value for use in public outreach activities to accomplish the purposes of 49 U.S.C. 20134: *Provided*, That the Secretary shall prescribe guidelines for the administration of such purchases and use.

SEC. 152. Hereafter, notwithstanding any other provision of law, funds provided in this Act for the National Railroad Passenger Corporation shall immediately cease to be available to said Corporation in the event that the Corporation contracts to have services provided at or from any location outside the United States. For purposes of this section, the word ''services'' shall mean any service that was, as of July 1, 2006, performed by a full-time or part-time Amtrak employee whose base of employment is located within the United States.

SEC. 153. The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a result of third party liability for such damages, and any amounts collected under this section shall be credited directly to the Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation and maintenance of automated track inspection

cars and equipment in connection with the automated track inspection program.

SEC. 154. The Administrator of the Federal Railroad Administration shall submit a report on April 1, 2010, and quarterly reports thereafter, to the House and Senate Committees on Appropriations detailing the Administrator's efforts at improving the on-time performance of Amtrak intercity rail service operating on non-Amtrak owned property. Such reports shall compare the most recent actual on-time performance data to pre-established on-time performance goals that the Administrator shall set for each rail service, identified by route. Such reports shall also include whatever other information and data regarding the on-time performance of Amtrak trains the Administrator deems to be appropriate.

SEC. 155. In the Explanatory Statement referenced in division I of Public Law 111–8 under the heading Railroad Research and Development the item relating to ''San Gabriel trench grade separation project, Alameda Corridor, CA'' is deemed to be amended by inserting ''Alameda Corridor East Construction Authority Grade Separations, CA.''.

SEC. 156. In the Explanatory Statement referenced in division K of Public Law 110–161 under the heading Rail Line Relocation and Improvement Program the item relating to ''Mt. Vernon railroad cut, NY'' is deemed to be amended by inserting ''Rail Line and Station Improvement and Rehabilitation, Mount Vernon, NY.''.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $97,478,000: *Provided*, That of the funds available under this heading, not to exceed $1,809,000 shall be available for travel: *Provided further*, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That of the amounts made available under this heading not to exceed $75,000 shall be paid from appropriations made available by this Act and provided to the Department of Transportation Office of Inspector General through reimbursement to conduct the annual audits of financial statements in accordance with section 3521 of title 31, United States Code: *Provided further*, That upon submission to the Congress of the fiscal year 2011 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on new starts, including proposed allocations of funds for fiscal year 2011.

FORMULA AND BUS GRANTS

(LIQUIDATION OF CONTRACT AUTHORITY)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5308, 5309, 5310, 5311, 5316, 5317, 5320, 5335, 5339, and 5340 and section 3038 of Public Law 105–178, as amended, $8,852,000,000 to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: *Provided*, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5308, 5309, 5310, 5311, 5316, 5317, 5320, 5335, 5339, and 5340 and section 3038 of Public Law 105–178, as amended, shall not exceed total obligations of $8,343,171,000 in fiscal year 2010.

RESEARCH AND UNIVERSITY RESEARCH CENTERS

For necessary expenses to carry out 49 U.S.C. 5306, 5312–5315, 5322, and 5506, $65,670,000, to remain available until expended: *Provided*, That $10,000,000 is available to carry out the transit cooperative research program under section 5313 of title 49, United States Code, $4,300,000 is available for the National Transit Institute under section 5315 of title 49, United States Code, and $7,000,000 is available for university transportation centers program under section 5506 of title 49, United States Code: *Provided further*, That $44,370,000 is available to carry out national research programs under sections 5312, 5313, 5314, and 5322 of title 49, United States Code.

CAPITAL INVESTMENT GRANTS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out section 5309 of title 49, United States Code, $1,827,343,000, to remain available until expended, of which not to exceed $200,000,000 is for section 5309(e) of such title: *Provided*, That $2,000,000, shall be transferred to the Department of Transportation Office of Inspector General from funds set aside for the execution of contracts pursuant to section 5327(c) of title 49, United States Code, for costs associated with audits and investigations of transit-related issues, including reviews of new fixed guideway systems.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For necessary expenses to carry out section 601 of Division B of Public Law 110-432, $150,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under ''Federal Transit Administration, Capital Investment Grants'' and for bus and bus facilities under ''Federal Transit Administration, Formula and Bus Grants'' for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2012, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2009, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. Notwithstanding any other provision of law, unobligated funds made available for new fixed guideway system projects under the heading ''Federal Transit Administration, Capital investment grants'' in any appropriations Act prior to this Act may be used during this fiscal year to satisfy expenses incurred for such projects.

SEC. 164. During fiscal year 2010, each Federal Transit Administration grant for a project that involves the acquisition or rehabilitation of a bus to be used in public transportation shall be funded for 90 percent of the net capital costs of a biodiesel bus or a factory-installed or retrofitted hybrid electric propulsion system and any equipment related to such a system: *Provided*, That the Secretary shall have the discretion to determine, through practicable administrative procedures, the costs attributable to the system and related-equipment.

SEC. 165. Notwithstanding any other provision of law, unobligated funds or recoveries under section 5309 of title 49, United States Code, that are available to the Secretary of Transportation for reallocation shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 166. (a) In the explanatory statement referenced in section 186 of title I of division K of Public Law 110-161 (121 Stat. 2406), the item relating to ''Broward County Southwest Transit Facility'' in the table of projects under the heading ''Bus and Bus Facilities'' is deemed to be amended by striking ''Southwest'' and inserting ''Ravenswood''.

(b) The explanatory statement referenced in section 186 of title I of division I of Public Law 111–8 for ''Alternatives analysis'' under ''Federal Transit Administration–Formula and Bus Grants'' is deemed to be amended by striking ''Hudson–Bergen Light Rail Extension Route 440, North Bergen, NJ'' and inserting ''Hudson–Bergen Light Rail Extension Route 440, Jersey City, NJ''.

(c) Funds made available for the Phoenix Heavy Maintenance Facility, Phoenix Dial-a-Ride facility, and the Phoenix Regional Heavy Bus Maintenance Facility in Arizona through the Department of Transportation Appropriations Acts for Fiscal Years 2005 and 2008 that remain unobligated or unexpended shall be made available to the East Baseline Park-and-Ride Facility in Phoenix, Arizona.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operations, maintenance, and capital asset renewal of those portions of the Saint Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, $32,324,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a United States flag merchant fleet to serve the national security needs of the United States, $174,000,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $140,900,000, of which $31,677,000 shall remain avaialble until September 30, 2010, for salaries and benefits of employees of the United States Merchant Marine Academy; of which $15,391,000 shall remain available until expended for capital improvements at the United States Merchant Marine Academy; and of which $11,240,000 shall remain available until expended for maintenance and repair of training ships at State maritime academies.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $15,000,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the guaranteed loan program, not to exceed $3,630,000, which shall be transferred to and merged with the appropriation for ''Operations and Training'', Maritime Administration.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 175. Notwithstanding any other provision of this Act, the Maritime Administration may furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under the control of the Maritime Administration, and payments received therefor shall be credited to the appropriation charged with the cost thereof: *Provided*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

SEC. 176. Section 51314 of title 46, United States Code, is amended in subsection (b) by inserting at the end ''Such fees shall be credited to the Maritime Administration's Operations and Training appropriation, to remain available until expended, for those expenses directly related to the purposes of the fees. Fees collected in excess of actual expenses may be refunded to the Midshipmen through a mechanism approved by the Secretary. The Academy shall maintain a separate and detailed accounting of fee revenue and all associated expenses.''.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

(PIPELINE SAFETY FUND)

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, $19,968,000, of which $639,000 shall be derived from the Pipeline Safety Fund: *Provided*, That $1,000,000 shall be transferred to ''Pipeline Safety'' in order to fund ''Pipeline Safety Information Grants to Communities'' as authorized under section 60130 of title 49, United States Code.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $36,500,000, of which $2,699,000 shall remain available until September 30, 2012: *Provided*, That up to $800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from states, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $105,239,000, of which $18,905,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2012; and of which $86,334,000 shall be derived from the Pipeline Safety Fund, of which $47,332,000 shall remain available until September 30, 2012.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5128(b), $188,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2011: *Provided*, That not more than $28,318,000 shall be made available for obligation in fiscal year 2010 from amounts made available by 49 U.S.C. 5116(i) and 5128(b)–(c): *Provided further*, That none of the funds made available by 49 U.S.C. 5116(i), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his or her designee.

RESEARCH AND INNOVATIVE TECHNOLOGY ADMINISTRATION

RESEARCH AND DEVELOPMENT

For necessary expenses of the Research and Innovative Technology Administration, $12,834,000, of which $6,036,000 shall remain available until September 30, 2012: *Provided*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $74,839,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department: *Provided further*, That the funds made available under this heading shall be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $29,800,000: *Provided*, That notwithstanding any other provision of law, not to exceed $1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2010, to result in a final appropriation from the general fund estimated at no more than $28,550,000.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

SEC. 180. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 181. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 182. None of the funds in this Act shall be available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 183. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 184. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 185. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's ''Federal-Aid Highways'' account, the Federal Transit Administration's ''Research and University Research Centers'' account, and to the Federal Railroad Administration's ''Safety and Operations'' account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 186. Funds provided or limited in this Act under the appropriate accounts within the Federal Highway Administration, the Federal Railroad Administration and the Federal Transit Administration shall be for the eligible programs, projects and activities in the corresponding amounts identified in the explanatory statement accompanying this Act for ''Ferry Boats and Ferry Terminal Facilities'', ''Federal Lands'', ''Interstate Maintenance Discretionary'', ''Transportation, Community and System Preservation Program'', ''Delta Region Transportation Development Program'', ''Rail Line Relocation and Improvement Program'', ''Rail-highway crossing hazard eliminations'', ''Alternatives analysis'', and ''Bus and bus facilities''.

SEC. 187. Notwithstanding any other provisions of law, rule or regulation, the Secretary of Transportation is authorized to allow the issuer of any preferred stock heretofore sold to the Department to redeem or repurchase such stock upon the payment to the Department of an amount determined by the Secretary.

SEC. 188. None of the funds in this Act to the Department of Transportation may be used to make a grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any discretionary grant award, letter of intent, or full funding grant agreement totaling $500,000 or more is announced by the department or its modal administrations from: (1) any discretionary grant program of the Federal Highway Administration including the emergency relief program; (2) the airport improvement program of the Federal Aviation Administration; (3) any grant or cooperative agreement from the Federal Railroad Administration; or (4) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs: *Provided*, That the Secretary gives concurrent notification to the

House and Senate Committees on Appropriations for any ''quick release'' of funds from the emergency relief program: *Provided further*, That no notification shall involve funds that are not available for obligation.

SEC. 189. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 190. Amounts made available in this or any other Act that the Secretary determines represent improper payments by the Department of Transportation to a third party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002: *Provided*, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That prior to the transfer of any such recovery to an appropriations account, the Secretary shall notify the House and Senate Committees on Appropriations the amount and reasons for such transfer: *Provided further*, That for purposes of this section, the term ''improper payments'', has the same meaning as that provided in section 2(d)(2) of Public Law 107–300.

SEC. 191. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, said reprogramming action shall be approved or denied solely by the Committees on Appropriations: *Provided*, That the Secretary may provide notice to other congressional committees of the action of the Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 192. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board of the Department of Transportation to charge or collect any filing fee for rate complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

SEC. 193. Notwithstanding section 3324 of Title 31, United States Code, in addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital fund is hereby authorized to provide payments in advance to vendors that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order 13150 and section 3049 of Public Law 109–59: *Provided*, that the Department shall include adequate safeguards in the contract with the vendors to ensure timely and high quality performance under the contract.

This title may be cited as the ''Department of Transportation Appropriations Act, 2010''.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

EXECUTIVE DIRECTION

For necessary salaries and expenses for Executive Direction, $25,969,000, of which not to exceed $4,619,000 shall be available for the immediate Office of the Secretary and Deputy Secretary; not to exceed $1,703,000 shall be available for the Office of Hearings and Appeals; not to exceed $778,000 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed $727,000 shall be available for the immediate Office of the Chief Financial Officer; not to exceed $1,474,000 shall be available for the immediate Office of the General Counsel; not to exceed $2,912,000 shall be available to the Office of the Assistant Secretary for Congressional and Intergovernmental Relations; not to exceed $3,110,000 shall be available for the Office of the Assistant Secretary for Public Affairs; not to exceed $1,218,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed $2,125,000 shall be available to the Office of the Assistant Secretary for Public and Indian Housing; not to exceed $1,781,000 shall be available to the Office of the Assistant Secretary for Community Planning and Development; not to exceed $3,497,000 shall be available to the Office of the Assistant Secretary for Housing, Federal Housing Commissioner; not to exceed $1,097,000 shall be available to the Office of the Assistant Secretary for Policy Development and Research; and not to exceed $928,000 shall be available to the Office of the Assistant Secretary for Fair Housing and Equal Opportunity: *Provided*, That the Secretary of the Department of Housing and Urban Development is authorized to transfer funds appropriated for any office funded under this heading to any other office funded under this heading following written notification to the House and Senate Committees on Appropriations: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 5 percent shall be submitted for prior approval to the House and Senate Committees on Appropriations: *Provided further*, That the Secretary shall provide the Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: *Provided further*, That the Secretary shall provide all signed reports required by Congress electronically: *Provided further*, That not to exceed $25,000 of the amount made available under this paragraph for the immediate Office of the Secretary shall be available for official reception and representation expenses as the Secretary may determine.

ADMINISTRATION, OPERATIONS AND MANAGEMENT

For necessary salaries and expenses for administration, operations and management for the Department of Housing and Urban Development, $537,897,000, of which not to exceed $76,958,000 shall be available for the personnel compensation and benefits of the Office of Administration; not to exceed $11,277,000 shall be available for the personnel compensation and benefits of the Office of Departmental Operations and Coordination; not to exceed $51,275,000 shall be available for the personnel compensation and benefits of the Office of Field Policy and Management; not to exceed $14,649,000 shall be available for the personnel compensation and benefits of the Office of the Chief Procurement Officer; not to exceed $35,197,000 shall be available for the personnel compensation and benefits of the remaining staff in the Office of the Chief Financial Officer; not to exceed $89,062,000 shall be available for the personnel compensation and benefits of the remaining staff in the Office of the General Counsel; not to exceed $3,296,000 shall be available for the personnel compensation and benefits of the Office of Departmental Equal Employment Opportunity; not to exceed $1,393,000 shall be available for the personnel compensation and benefits for the Center for Faith-Based and Community Initiatives; not to exceed $2,400,000 shall be available for the personnel compensation and benefits for the Office of Sustainability; not to exceed $2,520,000 shall be available for the personnel compensation and benefits for the Office of Strategic Planning and Management; and not to exceed $249,870,000 shall be available for non-personnel expenses of the Department of Housing and Urban Development: *Provided*, That, funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the housing mission area: *Provided further*, That the Secretary of Housing and Urban Development is authorized to transfer funds appropriated for any office included in Administration, Operations and Management to any other office included in Administration, Operations and Management only after such transfer has been submitted to, and received prior written approval by, the House and Senate Committees on Appropriations: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 10 percent by all such transfers.

PERSONNEL COMPENSATION AND BENEFITS

PUBLIC AND INDIAN HOUSING

For necessary personnel compensation and benefits expenses of the Office of Public and Indian Housing, $197,074,000.

COMMUNITY PLANNING AND DEVELOPMENT

For necessary personnel compensation and benefits expenses of the Office of Community Planning and Development mission area, $98,989,000.

HOUSING

For necessary personnel compensation and benefits expenses of the Office of Housing, $374,887,000.

OFFICE OF THE GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

For necessary personnel compensation and benefits expenses of the Office of the Government National Mortgage Association, $11,095,000, to be derived from the GNMA guarantees of mortgage backed securities guaranteed loan receipt account.

POLICY DEVELOPMENT AND RESEARCH

For necessary personnel compensation and benefits expenses of the Office of Policy Development and Research, $21,138,000.

FAIR HOUSING AND EQUAL OPPORTUNITY

For necessary personnel compensation and benefits expenses of the Office of Fair Housing and Equal Opportunity, $71,800,000.

OFFICE OF HEALTHY HOMES AND LEAD HAZARD CONTROL

For necessary personnel compensation and benefits expenses of the Office of Healthy Homes and Lead Hazard Control, $7,151,000.

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (''the Act'' herein), not otherwise provided for, $14,242,200,000, to remain available until expended, shall be available on October 1, 2009 (in addition to the $4,000,000,000 previously appropriated under this heading that will become available on October 1, 2009), and $4,000,000,000, to remain available until expended, shall be available on October 1, 2010: *Provided*, That the amounts made available under this heading are provided as follows:

(1) $16,387,200,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose vouchers initially funded in fiscal year 2008 and 2009 (such as Family Unification, Veterans Affairs Supportive Housing Vouchers and Nonelderly Disabled Vouchers): *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2010 funding cycle shall provide renewal funding for each public housing agency based on voucher management system (VMS) leasing and cost data for the most recent Federal fiscal year and by applying the most recent Annual Adjustment Factor as established by the Secretary, and by making any necessary adjustments for the costs associated with deposits to family self-sufficiency program escrow accounts or first-time renewals including tenant protection or HOPE VI vouchers: *Provided further*, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this Act), pro rate each public housing agency's allocation otherwise established pursuant to this paragraph: *Provided further*, That except as provided in the last two provisos, the entire amount specified under this paragraph (except as otherwise modified under this Act) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget not later than 60 days after enactment of this Act: *Provided further*, That the Secretary may extend the 60-day notification period with the written approval of the House and Senate Committees on Appropriations: *Provided further*, That public housing agencies participating in the Moving to Work demonstration shall be funded pursuant to their Moving to Work agreements and shall be subject to the same pro rata adjustments under the previous provisos: *Provided further*, That up to $150,000,000 shall be available only: (1) to adjust the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of tenant-based rental assistance resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for adjustments for public housing agencies with voucher leasing rates at the end of the calendar year that exceed the average leasing for the 12-month period used to establish the allocation; (3) for adjustments for the costs associated with VASH vouchers; or (4) for vouchers that were not in use during the 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act.

(2) $120,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104–134), conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106–569, as amended, or under the authority as provided under this Act: *Provided*, That the Secretary may provide replacement vouchers for all units that were occupied within the previous 24 months that cease to be available as assisted housing, subject to the availability of funds.

(3) $1,600,000,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $50,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, Veterans Affairs Supportive Housing vouchers, and other incremental vouchers: *Provided*, That no less than $1,550,000,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2010 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276): *Provided further*, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, for fiscal year 2009 and prior fiscal years, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities.

(4) $75,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: *Provided*, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 204 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: *Provided further*, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: *Provided further*, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over.

(5) $60,000,000 shall be for family self-sufficiency coordinators under section 23 of the Act.

HOUSING CERTIFICATE FUND

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading ''Annual Contributions for Assisted Housing'' and the heading ''Project-Based Rental Assistance'', for fiscal year 2010 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated: *Provided*, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be cancelled.

PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the ''Act'') $2,500,000,000, to remain available until September 30, 2013: *Provided*, That notwithstanding any other provision of law or regulation, during fiscal year 2010 the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: *Provided further*, That for purposes of such section 9(j), the term ''obligate'' means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: *Provided further*, That up to $15,345,000 shall be to support the ongoing Public Housing Financial and Physical Assessment activities of the Real Estate Assessment Center (REAC): *Provided further*, That of the total amount provided under this heading, not to exceed $20,000,000 shall be available for the Secretary to make grants, notwithstanding section 204 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters, excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.), occurring

in fiscal year 2010: *Provided further*, That of the total amount provided under this heading, $50,000,000 shall be for supportive services, service coordinators and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437z–6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): *Provided further*, That of the total amount provided under this heading, up to $8,820,000 is to support the costs of administrative and judicial receiverships: *Provided further*, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2010 to public housing agencies that are designated high performers.

PUBLIC HOUSING OPERATING FUND

For 2010 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), $4,800,000,000.

REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)

For grants to public housing agencies for demolition, site revitalization, replacement housing, and tenant-based assistance grants to projects as authorized by section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), $250,000,000, to remain available until September 30, 2011, of which the Secretary of Housing and Urban Development shall use $10,000,000 for technical assistance and contract expertise, to be provided directly or indirectly by grants, contracts or cooperative agreements, including training and cost of necessary travel for participants in such training, by or to officials and employees of the department and of public housing agencies and to residents: *Provided*, That none of such funds shall be used directly or indirectly by granting competitive advantage in awards to settle litigation or pay judgments, unless expressly permitted herein.

NATIVE AMERICAN HOUSING BLOCK GRANTS

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), $750,000,000, to remain available until expended: *Provided*, That, notwithstanding the Native American Housing Assistance and Self-Determination Act of 1996, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race Census data and with the need component based on multi-race Census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That of the amounts made available under this heading, $3,500,000 shall be contracted for assistance for a national organization representing Native American housing interests for providing training and technical assistance to Indian housing authorities and tribally designated housing entities as authorized under NAHASDA; and $4,250,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance in the training, oversight, and management of such Indian housing and tenant-based assistance, including up to $300,000 for related travel: *Provided further*, That of the amount provided under this heading, $2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $18,000,000.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), $12,000,000, to remain available until expended: *Provided*, That of this amount, $300,000 shall be for training and technical assistance activities, including up to $100,000 for related travel by Hawaii-based HUD employees.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $7,000,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to $919,000,000: *Provided further*, That up to $750,000 shall be for administrative contract expenses including management processes and systems to carry out the loan guarantee program.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b), $1,044,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $41,504,255.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), $350,000,000, to remain available until September 30, 2011, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2012: *Provided*, That the Secretary shall renew all expiring contracts for permanent supportive housing that were funded under section 854(c)(3) of such Act that meet all program requirements before awarding funds for new contracts and activities authorized under this section.

COMMUNITY DEVELOPMENT FUND

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $4,600,607,000, to remain available until September 30, 2012, unless otherwise specified: *Provided*, That of the total amount provided, $4,166,607,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (the ''Act'' herein) (42 U.S.C. 5301 et seq.): *Provided further*, That unless explicitly provided for under this heading (except for planning grants provided in the second paragraph and amounts made available under the third paragraph), not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further*, That $65,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 204 of this Act), up to $3,960,000 may be used for emergencies that constitute imminent threats to health and safety.

Of the amount made available under this heading, $151,000,000 shall be available for grants for the Economic Development Initiative (EDI) to finance a variety of targeted economic investments in accordance with the terms and conditions specified in the explanatory statement accompanying this Act: *Provided*, That none of the funds provided under this paragraph may be used for program operations: *Provided further*, That, for fiscal years 2008, 2009 and 2010, no unobligated funds for EDI grants may be used for any purpose except acquisition, planning, design, purchase of equipment, revitalization, redevelopment or construction.

Of the amount made available under this heading, $18,000,000 shall be available for neighborhood initiatives that are utilized to improve the conditions of distressed and blighted areas and neighborhoods, to stimulate investment, economic diversification, and community revitalization in areas with population outmigration or a stagnating or declining economic base, or to determine whether housing benefits can be integrated more effectively with welfare reform initiatives: *Provided*, That amounts made available under this paragraph shall be provided in accordance with the terms and conditions specified in the explanatory statement accompanying this Act.

The referenced statement of the managers under this heading ''Community Planning and Development'' in title II of division K of Public Law 110–161 is deemed to be amended by striking ''Custer County, ID for acquisition of an unused middle school building'' and inserting ''Custer County, ID, to construct a community center''.

The referenced statement of the managers under this heading ''Community Planning and Development'' in title II of division I of Public Law 111–8 is deemed to be amended by striking ''Custer County, ID, to purchase a middle school building'' and inserting ''Custer County, ID, to construct a community center''.

Of the amounts made available under this heading, $150,000,000 shall be made available for a Sustainable Communities Initiative to stimulate improved regional planning efforts that integrate housing and transportation decisions, and to challenge communities to reform zoning and land use ordinances: *Provided*, That $100,000,000 shall be for Regional Planning Grants to support the linking of transportation and land use planning: *Provided further*, That $40,000,000 shall be for Metropolitan Challenge Grants to foster reform and reduce barriers to achieve affordable, economically vital, and sustainable communities: *Provided further*, That up to $10,000,000 shall be for a joint Department of Housing and Urban Development and Department of Transportation research effort that shall include a rigorous evaluation of the Regional Planning Grants and Metropolitan Challenge Grants programs: *Provided further*, That of the amounts made available under this heading, $25,000,000 shall be made available for the Rural Innovation Fund to address the problems of concentrated rural housing distress and community poverty: *Provided further*, That of the amounts made available under this heading, $25,000,000 shall be made available for the University Community Fund for grants to assist universities in revitalizing their surrounding communities, with special attention to Historically

Black Colleges and Universities, Tribal Colleges and Universities, Alaska Native/Native Hawaiian Institutions, and Hispanic-Serving Institutions: *Provided further*, That the Secretary shall develop and publish guidelines for the use of such competitive funds including, but not limited to, eligibility criteria, minimum grant amounts, and performance metrics.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

For the cost of guaranteed loans, $6,000,000, to remain available until September 30, 2011, as authorized by section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $275,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in section 108(k) of the Housing and Community Development Act of 1974, as amended.

BROWNFIELDS REDEVELOPMENT

For competitive economic development grants, as authorized by section 108(q) of the Housing and Community Development Act of 1974, as amended, for Brownfields redevelopment projects, $25,000,000, to remain available until September 30, 2011: *Provided*, That no funds made available under this heading may be used to establish loan loss reserves for the section 108 Community Development Loan Guarantee program.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended (42 U.S.C. 12721 et seq.), $2,000,000,000, to remain available until September 30, 2012: *Provided*, That funds provided in prior appropriations Acts for technical assistance, that were made available for Community Housing Development Organizations technical assistance, and that still remain available, may be used for HOME technical assistance notwithstanding the purposes for which such amounts were appropriated.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended (42 U.S.C. 12805 note), $85,000,000, to remain available until September 30, 2012: *Provided*, That of the total amount provided under this heading, $27,000,000 shall be made available to the Self-Help and Assisted Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further*, That $53,000,000 shall be made available for the second, third and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than $10,000,000 may be made available for rural capacity building activities: *Provided further*, That $5,000,000 shall be made available for capacity building activities as authorized in sections 6301 through 6305 of Public Law 110–246.

HOMELESS ASSISTANCE GRANTS

For the emergency shelter grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the supportive housing program as authorized under subtitle C of title IV of such Act; the section 8 moderate rehabilitation single room occupancy program as authorized under the United States Housing Act of 1937, as amended, to assist homeless individuals pursuant to section 441 of the McKinney-Vento Homeless Assistance Act; and the shelter plus care program as authorized under subtitle F of title IV of such Act, $1,850,000,000, of which $1,845,000,000 shall remain available until September 30, 2012, and of which $5,000,000 shall remain available until expended for rehabilitation projects with 10-year grant terms: *Provided*, That not less than 30 percent of funds made available, excluding amounts provided for renewals under the shelter plus care program shall be used for permanent housing for individuals and families: *Provided further*, That all funds awarded for services shall be matched by not less than 25 percent in funding by each grantee: *Provided further*, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless there is (or was) a specific statutory prohibition on any such use of any such funds: *Provided further*, That the Secretary shall renew on an annual basis expiring contracts or amendments to contracts funded under the shelter plus care program if the program is determined to be needed under the applicable continuum of care and meets appropriate program requirements and financial standards, as determined by the Secretary: *Provided further*, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible, including Medicaid, State Children's Health Insurance Program, Temporary Assistance for Needy Families, Food Stamps, and services funding through the Mental Health and Substance Abuse Block Grant, Workforce Investment Act, and the Welfare-to-Work grant program: *Provided further*, That up to $8,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project and technical assistance: *Provided further*, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Shelter Plus Care renewals in fiscal year 2010.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (''the Act''), not otherwise provided for, $8,306,328,000, to remain available until expended, shall be available on October 1, 2009, and $393,672,000, to remain available until expended, shall be available on October 1, 2010: *Provided*, That the amounts made available under this heading are provided as follows:

(1) Up to $8,474,328,000 shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph.

(2) Not less than $232,000,000 but not to exceed $258,000,000 shall be available for performance-based contract administrators for section 8 project-based assistance: *Provided*, That the Secretary of Housing and Urban Development may also use such amounts for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z–1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q(c)(2)); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667).

(3) Amounts recaptured under this heading, the heading ''Annual Contributions for Assisted Housing'', or the heading ''Housing Certificate Fund'' may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated.

HOUSING FOR THE ELDERLY

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959 (12 U.S.C. 1701(q)), as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing, $1,000,000,000, to remain available until September 30, 2013, of which up to $872,000,000 shall be for capital advance and project-based rental assistance awards: *Provided*, That, of the amount provided under this heading, up to $90,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects, and of which up to $25,000,000 shall be for grants under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q–2) for conversion of eligible projects under such section to assisted living or related use and for substantial and emergency capital repairs as determined by the Secretary: *Provided further*, That of the amount made available under this heading, $20,000,000 shall be available to the Secretary of Housing and Urban Development only for making competitive grants to private nonprofit organizations and consumer cooperatives for covering costs of architectural and engineering work, site control, and other planning relating to the development of supportive housing for the elderly that is eligible for assistance under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q): *Provided further*, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 capital advance projects: *Provided further*, That up to $2,000,000 of the total amount made available under this heading shall be for technical assistance to improve grant applications and to facilitate the development of housing for

the elderly under section 202 of the Housing Act of 1959, and supportive housing for persons with disabilities under section 811 of the Cranston-Gonzalez National Affordable Housing Act: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration.

HOUSING FOR PERSONS WITH DISABILITIES

For capital advance contracts, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, and for tenant-based rental assistance contracts entered into pursuant to section 811 of such Act, $350,000,000, of which up to $214,000,000 shall be for capital advances and project-based rental assistance contracts, to remain available until September 30, 2013: *Provided further*, That, of the amount provided under this heading, $87,100,000 shall be for amendments or renewal of tenant-based assistance contracts entered into prior to fiscal year 2005 (only one amendment authorized for any such contract): *Provided further*, That all tenant-based assistance made available under this heading shall continue to remain available only to persons with disabilities: *Provided further*, That the Secretary may waive the provisions of section 811 governing the terms and conditions of project rental assistance and tenant-based assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 Capital Advance Projects.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701(x)), $70,000,000, including up to $2,500,000 for administrative contract services, to remain available until September 30, 2011: *Provided*, That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management/literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training.

ENERGY INNOVATION FUND

For an Energy Innovation Fund to enable the Federal Housing Administration and the new Office of Sustainability to catalyze innovations in the residential energy efficiency sector that have promise of replicability and help create a standardized home energy efficient retrofit market, $50,000,000, to remain available until September 30, 2013: *Provided*, That $25,000,000 shall be for the Energy Efficient Mortgage Innovation pilot program, directed at the single family housing market: *Provided further*, That $25,000,000 shall be for the Multifamily Energy Pilot, directed at the multifamily housing market.

OTHER ASSISTED HOUSING PROGRAMS

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1) in State-aided, non-insured rental housing projects, $40,000,000, to remain available until expended.

RENT SUPPLEMENT

(RESCISSION)

Of the amounts recaptured from terminated contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236 of the National Housing Act (12 U.S.C. 1715z–1) $27,600,000 are rescinded.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to $16,000,000, to remain available until expended, of which $7,000,000 is to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2010 so as to result in a final fiscal year 2010 appropriation from the general fund estimated at not more than $9,000,000 and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2010 appropriation: *Provided further*, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: *Provided further*, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: *Provided further*, That notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

During fiscal year 2010, commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed a loan principal of $400,000,000,000: *Provided*, That for new loans guaranteed pursuant to section 255 of the National Housing Act (12 U.S.C. 1715z–20), the Secretary shall adjust the factors used to calculate the principal limit (as such term is defined in HUD Handbook 4235.1) that were assumed in the President's Budget Request for 2010 for such loans, as necessary to ensure that the program operates at a net zero subsidy rate, except that no principal limit factor may be reduced below 60: *Provided further*, That during fiscal year 2010, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $50,000,000: *Provided further*, That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund. For administrative contract expenses of the Federal Housing Administration, $188,900,000, of which up to $70,794,000 may be transferred to the Working Capital Fund, and of which up to $7,500,000 shall be for education and outreach of FHA single family loan products: *Provided further*, That to the extent guaranteed loan commitments exceed $200,000,000,000 on or before April 1, 2010, an additional $1,400 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $30,000,000.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), including the cost of loan guarantee modifications, as that term is defined in section 502 of the Congressional Budget Act of 1974, as amended, $8,600,000, to remain available until expended: *Provided*, That commitments to guarantee loans shall not exceed $15,000,000,000 in total loan principal, any part of which is to be guaranteed.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $20,000,000, which shall be for loans to nonprofit and governmental entities in connection with the sale of single-family real properties owned by the Secretary and formerly insured under such Act.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $500,000,000,000, to remain available until September 30, 2011.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, $50,000,000, to remain available until September 30, 2011.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $72,000,000, to remain available until September 30, 2011, of which $42,500,000 shall be to carry out activities pursuant to such section 561: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: *Provided further*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $140,000,000, to remain available until September 30, 2011, of which not less than $20,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided*, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of the law that further the purposes of such Act, a grant under the Healthy Homes Initiative, Operation Lead Elimination Action Plan (LEAP), or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That amounts made available under this heading in this or prior appropriations Acts, and that still remain available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

MANAGEMENT AND ADMINISTRATION

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For additional capital for the Working Capital Fund (42 U.S.C. 3535) for the maintenance of infrastructure for Department-wide information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, $200,000,000, to remain available until September 30, 2011: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts or from within this Act may be used only for the purposes specified under this Fund, in addition to the purposes for which such amounts were appropriated: *Provided further*, That up to $15,000,000 may be transferred to this account from all other accounts in this title (except for the Office of the Inspector General account) that make funds available for salaries and expenses.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $120,000,000: *Provided*, That the Inspector General shall have independent authority over all personnel issues within this office.

TRANSFORMATION INITIATIVE

For necessary expenses for combating mortgage fraud, $20,000,000, to remain available until expended.

In addition, of the amounts made available in this Act under each of the following headings under this title, the Secretary may transfer to, and merge with, this account up to 1 percent from each such account, and such transferred amounts shall be available until September 30, 2012, for (1) research, evaluation, and program metrics; (2) program demonstrations; (3) technical assistance and capacity building; and (4) information technology: ''Public Housing Capital Fund,'' ''Energy Innovation Fund,'' ''Native American Housing Block Grants,'' ''Native Hawaiian Housing Block Grants,'' ''Revitalization of Severely Distressed Public Housing,'' ''Brownfields Redevelopment,'' ''Section 108 Loan Guarantees,'' ''Housing Opportunities for Persons With AIDS,'' ''Community Development Fund,'' ''HOME Investment Partnerships Program,'' ''Self-Help and Assisted Homeownership Opportunity Program,'' ''Homeless Assistance Grants,'' ''Housing for the Elderly,'' ''Housing for Persons With Disabilities,'' ''Housing Counseling Assistance,'' ''Payment to Manufactured Housing Fees Trust Fund,'' ''Mutual Mortgage Insurance Program Account,'' ''General and Special Risk Program Account,'' ''Research and Technology,'' ''Lead Hazard Reduction,'' ''Rental Housing Assistance,'' and ''Fair Housing Activities'': *Provided*, That the Secretary shall fund each of the four general purposes specified above at not less than 10 percent, and not more than 50 percent, of the aggregate transferred amount.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2010 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. (a) Notwithstanding section 854(c)(1)(A) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)(1)(A)), from any amounts made available under this title for fiscal year 2010 that are allocated under such section, the Secretary of Housing and Urban Development shall allocate and make a grant, in the amount determined under subsection (b), for any State that—

(1) received an allocation in a prior fiscal year under clause (ii) of such section; and

(2) is not otherwise eligible for an allocation for fiscal year 2010 under such clause (ii) because the areas in the State outside of the metropolitan statistical areas that qualify under clause (i) in fiscal year 2010 do not have the number of cases of acquired immunodeficiency syndrome (AIDS) required under such clause.

(b) The amount of the allocation and grant for any State described in subsection (a) shall be an amount based on the cumulative number of AIDS cases in the areas of that State that are outside of metropolitan statistical areas that qualify under clause (i) of such section 854(c)(1)(A) in fiscal year 2010, in proportion to AIDS cases among cities and States that qualify under clauses (i) and (ii) of such section and States deemed eligible under subsection (a).

(c) Notwithstanding any other provision of law, the amount allocated for fiscal year 2010 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of New York, New York, on behalf of the New York-Wayne-White Plains, New York-New Jersey Metropolitan Division (hereafter ''metropolitan division'') of the New York-Newark-Edison, NY-NJ-PA Metropolitan Statistical Area, shall be adjusted by the Secretary of Housing and Urban Development by: (1) allocating to the City of Jersey City, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in Hudson County, New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS; and (2) allocating to the City of Paterson, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in Bergen County and Passaic County, New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS. The recipient cities shall use amounts allocated under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in their respective portions of the metropolitan division that is located in New Jersey.

(d) Notwithstanding any other provision of law, the amount allocated for fiscal year 2010 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to areas with a higher than average per capita incidence of AIDS, shall be adjusted by the Secretary on the basis of area incidence reported over a 3 year period.

SEC. 204. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 205. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1).

SEC. 206. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 207. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, are hereby authorized to make such expenditures, within the

limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2010 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 208. None of the funds provided in this title for technical assistance, training, or management improvements may be obligated or expended unless the Secretary of Housing and Urban Development provides to the Committees on Appropriations a description of each proposed activity and a detailed budget estimate of the costs associated with each program, project or activity as part of the Budget Justifications. For fiscal year 2010, the Secretary shall transmit this information to the Committees by November 15, 2009 for 30 days of review.

SEC. 209. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 210. (a) Notwithstanding any other provision of law, the amount allocated for fiscal year 2010 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of Wilmington, Delaware, on behalf of the Wilmington, Delaware-Maryland-New Jersey Metropolitan Division (hereafter ''metropolitan division''), shall be adjusted by the Secretary of Housing and Urban Development by allocating to the State of New Jersey the proportion of the metropolitan division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan division that is located in New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS. The State of New Jersey shall use amounts allocated to the State under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in the portion of the metropolitan division that is located in New Jersey.

(b) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall allocate to Wake County, North Carolina, the amounts that otherwise would be allocated for fiscal year 2010 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to the City of Raleigh, North Carolina, on behalf of the Raleigh-Cary, North Carolina Metropolitan Statistical Area. Any amounts allocated to Wake County shall be used to carry out eligible activities under section 855 of such Act (42 U.S.C. 12904) within such metropolitan statistical area.

(c) Notwithstanding section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), the Secretary of Housing and Urban Development may adjust the allocation of the amounts that otherwise would be allocated for fiscal year 2010 under section 854(c) of such Act, upon the written request of an applicant, in conjunction with the State(s), for a formula allocation on behalf of a metropolitan statistical area, to designate the State or States in which the metropolitan statistical area is located as the eligible grantee(s) of the allocation. In the case that a metropolitan statistical area involves more than one State, such amounts allocated to each State shall be in proportion to the number of cases of AIDS reported in the portion of the metropolitan statistical area located in that State. Any amounts allocated to a State under this section shall be used to carry out eligible activities within the portion of the metropolitan statistical area located in that State.

SEC. 211. The President's formal budget request for fiscal year 2010, as well as the Department of Housing and Urban Development's congressional budget justifications to be submitted to the Committees on Appropriations of the House of Representatives and the Senate, shall use the identical account and sub-account structure provided under this Act.

SEC. 212. A public housing agency or such other entity that administers Federal housing assistance for the Housing Authority of the county of Los Angeles, California, the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 for the Housing Authority of the county of Los Angeles, California and the States of Alaska, Iowa and Mississippi that chooses not to include a resident of Public Housing or a recipient of section 8 assistance on the board of directors or a similar governing board shall establish an advisory board of not less than six residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 213. (a) Notwithstanding any other provision of law, subject to the conditions listed in subsection (b), for fiscal years 2008 and 2009, the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt and statutorily required low-income and very low-income use restrictions, associated with one or more multifamily housing project to another multifamily housing project or projects.

(b) The transfer authorized in subsection (a) is subject to the following conditions:

(1) The number of low-income and very low-income units and the net dollar amount of Federal assistance provided by the transferring project shall remain the same in the receiving project or projects.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically non-viable.

(3) The receiving project or projects shall meet or exceed applicable physical standards established by the Secretary.

(4) The owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

(5) The tenants of the transferring project who remain eligible for assistance to be provided by the receiving project or projects shall not be required to vacate their units in the transferring project or projects until new units in the receiving project are available for occupancy.

(6) The Secretary determines that this transfer is in the best interest of the tenants.

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (c)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary.

(8) If the transferring project meets the requirements of subsection (c)(2)(E), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

(9) Any financial risk to the FHA General and Special Risk Insurance Fund, as determined by the Secretary, would be reduced as a result of a transfer completed under this section.

(10) The Secretary determines that Federal liability with regard to this project will not be increased.

(c) For purposes of this section—

(1) the terms ''low-income'' and ''very low-income'' shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term ''multifamily housing project'' means housing that meets one of the following conditions—

(A) housing that is subject to a mortgage insured under the National Housing Act;

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

(C) housing that is assisted under section 202 of the Housing Act of 1959 as amended by section 801 of the Cranston-Gonzalez National Affordable Housing Act;

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the Cranston-Gonzalez National Affordable Housing Act; or

(E) housing or vacant land that is subject to a use agreement;

(3) the term ''project-based assistance'' means—

(A) assistance provided under section 8(b) of the United States Housing Act of 1937;

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act; and

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959;

(4) the term ''receiving project or projects'' means the multifamily housing project or projects to which some or all of the project-based assistance, debt, and statutorily required use low-income and very low-income restrictions are to be transferred;

(5) the term ''transferring project'' means the multifamily housing project which is transferring some or all of the project-based assistance, debt and the statutorily required low-income and very low-income use restrictions to the receiving project or projects; and

(6) the term ''Secretary'' means the Secretary of Housing and Urban Development.

SEC. 214. The funds made available for Native Alaskans under the heading ''Native American Housing Block Grants'' in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 215. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 216. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005; and

(7) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

SEC. 217. Notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z—20(g)), the Secretary of Housing and Urban Development may, until September 30, 2010, insure and enter into commitments to insure mortgages under section 255 of the National Housing Act (12 U.S.C. 1715z—20).

SEC. 218. Notwithstanding any other provision of law, in fiscal year 2010, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA'') and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 219. During fiscal year 2010, in the provision of rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) in connection with a program to demonstrate the economy and effectiveness of providing such assistance for use in assisted living facilities that is carried out in the counties of the State of Michigan notwithstanding paragraphs (3) and (18)(B)(iii) of such section 8(o), a family residing in an assisted living facility in any such county, on behalf of which a public housing agency provides assistance pursuant to section 8(o)(18) of such Act, may be required, at the time the family initially receives such assistance, to pay rent in an amount exceeding 40 percent of the monthly adjusted income of the family by such a percentage or amount as the Secretary of Housing and Urban Development determines to be appropriate.

SEC. 220. The Secretary of Housing and Urban Development shall report quarterly to the House of Representatives and Senate Committees on Appropriations on HUD's use of all sole source contracts, including terms of the contracts, cost, and a substantive rationale for using a sole source contract.

SEC. 221. Notwithstanding any other provision of law, the recipient of a grant under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q—z) after December 26, 2000, in accordance with the unnumbered paragraph at the end of section 202(b) of such Act, may, at its option, establish a single-asset nonprofit entity to own the project and may lend the grant funds to such entity, which may be a private nonprofit organization described in section 831 of the American Homeownership and Economic Opportunity Act of 2000.

SEC. 222. (a) The amounts provided under the subheading ''Program Account'' under the heading ''Community Development Loan Guarantees'' may be used to guarantee, or make commitments to guarantee, notes, or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of section 108 of the Housing and Community Development Act of 1974: *Provided*, That, any State receiving such a guarantee or commitment shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

(b) Not later than 60 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall promulgate regulations governing the administration of the funds described under subsection (a).

SEC. 223. Section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v) is amended—

(1) in subsection (m)(1), by striking ''fiscal year'' and all that follows through the period at the end and inserting ''fiscal year 2010.''; and

(2) in subsection (o), by striking ''September'' and all that follows through the period at the end and inserting ''September 30, 2010.''.

SEC. 224. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary of Housing and Urban Development in connection with the operating fund rule: *Provided*, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 225. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Provided*, however, that a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

SEC. 226. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that, not later than 90 days after the date of enactment of this Act, there is a trained allotment holder for each HUD subaccount under the headings ''Executive Direction'' and ''Administration, Operations, and Management'' as well as each account receiving appropriations for ''personnel compensation and benefits'' within the Department of Housing and Urban Development.

SEC. 227. Payment of attorney fees in program-related litigation must be paid from individual program office personnel benefits and compensation funding. The annual budget submission for program office personnel benefit and compensation funding must include program-related litigation costs for attorney fees as a separate line item request.

SEC. 228. The Secretary of the Department of Housing and Urban Development shall for Fiscal Year 2010 and subsequent fiscal years, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding availability (NOFA) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for Fiscal Year 2010 and subsequent fiscal years, the Secretary may make the NOFA available only on the Internet at the appropriate government website or websites or through other electronic media, as determined by the Secretary.

SEC. 229. Prepayment and Refinancing.

(a) APPROVAL OF PREPAYMENT OF DEBT.—Upon request of the project sponsor of a project assisted with a loan under section 202 of the Housing Act of 1959 (as in effect before the enactment of the Cranston-Gonzalez National Affordable Housing Act), for which the Secretary's consent to prepayment is required, the Secretary shall approve the prepayment of any indebtedness to the Secretary relating to any remaining principal and interest under the loan as part of a prepayment plan under which—

(1) the project sponsor agrees to operate the project until the maturity date of the original loan under terms at least as advantageous to existing and future tenants as the terms required by the original loan agreement or any project-based rental assistance payments contract under section 8 of the United States Housing Act of 1937 (or any other project-based rental housing assistance programs of the Department of Housing and Urban Development, including the rent supplement program under section 101 of the

Housing and Urban Development Act of 1965 (12 U.S.C. 1701s)) or any successor project-based rental assistance program, except as provided by subsection (a)(2)(B); and

(2) the prepayment may involve refinancing of the loan if such refinancing results—

(A) in a lower interest rate on the principal of the loan for the project and in reductions in debt service related to such loan; or

(B) in the case of a project that is assisted with a loan under such section 202 carrying an interest rate of 6 percent or lower, a transaction under which—

(i) the project owner shall address the physical needs of the project;

(ii) the prepayment plan for the transaction, including the refinancing, shall meet a cost benefit analysis, as established by the Secretary, that the benefit of the transaction outweighs the cost of the transaction including any increases in rent charged to unassisted tenants;

(iii) the overall cost for providing rental assistance under section 8 for the project (if any) is not increased, except, upon approval by the Secretary to—

(I) mark-up-to-market contracts pursuant to section 524(a)(3) of the Multifamily Assisted Housing Reform and Affordability Act (42 U.S.C. 1437f note), as such section is carried out by the Secretary for properties owned by nonprofit organizations; or

(II) mark-up-to-budget contracts pursuant to section 524(a)(4) of the Multifamily Assisted Housing Reform and Affordability Act (42 U.S.C. 1437f note), as such section is carried out by the Secretary for properties owned by eligible owners (as such term is defined in section 202(k) of the Housing Act of 1959 (12 U.S.C. 1701q(k));

(iv) the project owner may charge tenants rent sufficient to meet debt service payments and operating cost requirements, as approved by the Secretary, if project-based rental assistance is not available or is insufficient for the debt service and operating cost of the project after refinancing. Such approval by the Secretary—

(I) shall be the basis for the owner to agree to terminate the project-based rental assistance contract that is insufficient for the debt service and operating cost of the project after refinancing; and

(II) shall be an eligibility event for the project for purposes of section 8(t) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t));

(v) units to be occupied by tenants assisted under section 8(t) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)) shall, upon termination of the occupancy of such tenants, become eligible for project-based assistance under section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(13)) without regard to the percentage limitations provided in such section; and

(vi) there shall be a use agreement of 20 years from the date of the maturity date of the original 202 loan for all units, including units to be occupied by tenants assisted under section 8(t) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)).

SEC. 230. No property identified by the Secretary of Housing and Urban Development as surplus Federal property for use to assist the homeless shall be made available to any homeless group unless the group is a member in good standing under any of HUD's homeless assistance programs or is in good standing with any other program which receives funds from any other Federal or State agency or entity: *Provided*, That an exception may be made for an entity not involved with Federal homeless programs to use surplus Federal property for the homeless only after the Secretary or another responsible Federal agency has fully and comprehensively reviewed all relevant finances of the entity, the track record of the entity in assisting the homeless, the ability of the entity to manage the property, including all costs, the ability of the entity to administer homeless programs in a manner that is effective to meet the needs of the homeless population that is expected to use the property and any other related issues that demonstrate a commitment to assist the homeless: *Provided further*, That the Secretary shall not require the entity to have cash in hand in order to demonstrate financial ability but may rely on the entity's prior demonstrated fund-raising ability or commitments for in-kind donations of goods and services: *Provided further*, That the Secretary shall make all such information and its decision regarding the award of the surplus property available to the committees of jurisdiction, including a full justification of the appropriateness of the use of the property to assist the homeless as well as the appropriateness of the group seeking to obtain the property to use such property to assist the homeless: *Provided further*, That, this section shall apply to properties in fiscal year 2009 and 2010 made available as surplus Federal property for use to assist the homeless.

SEC. 231. The Secretary of the Department of Housing and Urban Development is authorized to transfer up to 5 percent of funds appropriated for any account under this title under the heading ''Personnel Compensation and Benefits'' to any other account under this title under the heading ''Personnel Compensation and Benefits'' only after such transfer has been submitted to, and received prior written approval by, the House and Senate Committees on Appropriations: *Provided*, That, no appropriation for any such account shall be increased or decreased by more than 10 percent by all such transfers.

SEC. 232. The Disaster Housing Assistance Programs, administered by the Department of Housing and Urban Development, shall be considered a ''program of the Department of Housing and Urban Development'' under section 904 of the McKinney Act for the purpose of income verifications and matching.

SEC. 233. FHA Loan Limits for fiscal year 2010. (a) LOAN LIMIT FLOOR BASED ON 2008 LEVELS- For mortgages for which the mortgagee issues credit approval for the borrower during fiscal year 2010, if the dollar amount limitation on the principal obligation of a mortgage determined under section 203(b)(2) of the National Housing Act (12 U.S.C. 1709(b)(2)) for any size residence for any area is less than such dollar amount limitation that was in effect for such size residence for such area for 2008 pursuant to section 202 of the Economic Stimulus Act of 2008 (Public Law 110-185; 122 Stat. 620), notwithstanding any other provision of law, the maximum dollar amount limitation on the principal obligation of a mortgage for such size residence for such area for purposes of such section 203(b)(2) shall be considered (except for purposes of section 255(g) of such Act (12 U.S.C. 1715z-20(g))) to be such dollar amount limitation in effect for such size residence for such area for 2008. (b) Discretionary Authority for Sub-Areas- Notwithstanding any other provision of law, if the Secretary of Housing and Urban Development determines, for any geographic area that is smaller than an area for which dollar amount limitations on the principal obligation of a mortgage are determined under section 203(b)(2) of the National Housing Act, that a higher such maximum dollar amount limitation is warranted for any particular size or sizes of residences in such sub-area by higher median home prices in such sub-area, the Secretary may, for mortgages for which the mortgagee issues credit approval for the borrower during fiscal year 2010, increase the maximum dollar amount limitation for such size or sizes of residences for such sub-area that is otherwise in effect (including pursuant to subsection (a) of this section), but in no case to an amount that exceeds the amount specified in section 202(a)(2) of the Economic Stimulus Act of 2008.

SEC. 234. GSE Conforming Loan Limits for fiscal year 2010. (a) Loan Limit Floor Based on 2008 Levels- For mortgages originated during fiscal year 2010, if the limitation on the maximum original principal obligation of a mortgage that may be purchased by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation determined under section 302(b)(2) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(b)(2)) or section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1754(a)(2)), respectively, for any size residence for any area is less than such maximum original principal obligation limitation that was in effect for such size residence for such area for 2008 pursuant to section 201 of the Economic Stimulus Act of 2008 (Public Law 110-185; 122 Stat. 619), notwithstanding any other provision of law, the limitation on the maximum original principal obligation of a mortgage for such Association and Corporation for such size residence for such area shall be such maximum limitation in effect for such size residence for such area for 2008. (b) Discretionary Authority for Sub-Areas- Notwithstanding any other provision of law, if the Director of the Federal Housing Finance Agency determines, for any geographic area that is smaller than an area for which limitations on the maximum original principal obligation of a mortgage are determined for the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation, that a higher such maximum original principal obligation limitation is warranted for any particular size or sizes of residences in such sub-area by higher median home prices in such sub-area, the Director may, for mortgages originated during fiscal year 2010, increase the maximum original principal obligation limitation for such size or sizes of residences for such sub-area that is otherwise in effect (including pursuant to subsection (a) of this section) for such Association and Corporation, but in no case to an amount that exceeds the amount specified in the matter following the comma in section 201(a)(1)(B) of the Economic Stimulus Act of 2008.

SEC. 235. FHA Reverse Mortgage Loan Limits for fiscal year 2010. For mortgages for which the mortgagee issues credit approval for the borrower during fiscal year 2010, the second sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z-20(g)) shall be considered to require that in no case may the benefits of insurance under such section 255 exceed 150 percent of the maximum dollar amount in effect under the sixth sentence of section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454(a)(2)).

This title may be cited as the ''Department of Housing and Urban Development Appropriations Act, 2010''.

TITLE III
RELATED AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $7,200,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. App. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefore, as authorized by 5 U.S.C. 5901–5902, $23,712,000: *Provided*, That not to exceed $2,000 shall be available for official reception and representation expenses.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902) $99,200,000, of which not to exceed $2,000 may be used for official reception and representation expenses. The amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments on an obligation incurred in fiscal year 2001 for a capital lease. Of the funds provided, up to $100,000 shall be provided through reimbursement to the Department of Transportation's Office of Inspector General to audit the National Transportation Safety Board's financial statements.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $133,000,000: *Provided*, That Section 605(a) of the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8104(a)) is amended by adding at the end of the first sentence, prior to the period, '', except that the board-appointed officers may be paid salary at a rate not to exceed level II of the Executive Schedule'': *Provided further*, That in addition, $63,800,000 shall be made available until expended to the Neighborhood Reinvestment Corporation for mortgage foreclosure mitigation activities, under the following terms and conditions:

(1) The Neighborhood Reinvestment Corporation (''NRC''), shall make grants to counseling intermediaries approved by the Department of Housing and Urban Development (HUD) (with match to be determined by the NRC based on affordability and the economic conditions of an area; a match also may be waived by the NRC based on the aforementioned conditions) to provide mortgage foreclosure mitigation assistance primarily to States and areas with high rates of defaults and foreclosures primarily in the subprime housing market to help eliminate the default and foreclosure of mortgages of owner-occupied single-family homes that are at risk of such foreclosure. Other than areas with high rates of defaults and foreclosures, grants may also be provided to approved counseling intermediaries based on a geographic analysis of the Nation by the NRC which determines where there is a prevalence of subprime mortgages that are risky and likely to fail, including any trends for mortgages that are likely to default and face foreclosure. A State Housing Finance Agency may also be eligible where the State Housing Finance Agency meets all the requirements under this paragraph. A HUD-approved counseling intermediary shall meet certain mortgage foreclosure mitigation assistance counseling requirements, as determined by the NRC, and shall be approved by HUD or the NRC as meeting these requirements.

(2) Mortgage foreclosure mitigation assistance shall only be made available to homeowners of owner-occupied homes with mortgages in default or in danger of default. These mortgages shall likely be subject to a foreclosure action and homeowners will be provided such assistance that shall consist of activities that are likely to prevent foreclosures and result in the long-term affordability of the mortgage retained pursuant to such activity or another positive outcome for the homeowner. No funds made available under this paragraph may be provided directly to lenders or homeowners to discharge outstanding mortgage balances or for any other direct debt reduction payments.

(3) The use of Mortgage Foreclosure Mitigation Assistance by approved counseling intermediaries and State Housing Finance Agencies shall involve a reasonable analysis of the borrower's financial situation, an evaluation of the current value of the property that is subject to the mortgage, counseling regarding the assumption of the mortgage by another non-Federal party, counseling regarding the possible purchase of the mortgage by a non-Federal third party, counseling and advice of all likely restructuring and refinancing strategies or the approval of a work-out strategy by all interested parties.

(4) NRC may provide up to 15 percent of the total funds under this paragraph to its own charter members with expertise in foreclosure prevention counseling, subject to a certification by the NRC that the procedures for selection do not consist of any procedures or activities that could be construed as an unacceptable conflict of interest or have the appearance of impropriety.

(5) HUD-approved counseling entities and State Housing Finance Agencies receiving funds under this paragraph shall have demonstrated experience in successfully working with financial institutions as well as borrowers facing default, delinquency and foreclosure as well as documented counseling capacity, outreach capacity, past successful performance and positive outcomes with documented counseling plans (including post mortgage foreclosure mitigation counseling), loan workout agreements and loan modification agreements. NRC may use other criteria to demonstrate capacity in underserved areas.

(6) Of the total amount made available under this paragraph, up to $3,000,000 may be made available to build the mortgage foreclosure and default mitigation counseling capacity of counseling intermediaries through NRC training courses with HUD-approved counseling intermediaries and their partners, except that private financial institutions that participate in NRC training shall pay market rates for such training.

(7) Of the total amount made available under this paragraph, up to 4 percent may be used for associated administrative expenses for the NRC to carry out activities provided under this section.

(8) Mortgage foreclosure mitigation assistance grants may include a budget for outreach and advertising, and training, as determined by the NRC.

(9) The NRC shall report bi-annually to the House and Senate Committees on Appropriations as well as the Senate Banking Committee and House Financial Services Committee on its efforts to mitigate mortgage default. Such reports shall identify successful strategies and methods for preserving homeownership and the long-term affordability of at-risk mortgages and shall include recommended efforts that will or likely can assist in the success of this program as well as an analysis of any policy and procedures that failed to result in successful mortgage foreclosure mitigation. The report shall include an analysis of the details and use of any post mitigation counseling of assisted borrowers designed to ensure the continued long-term affordability of the mortgages which were the subject of the mortgage foreclosure mitigation assistance.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $2,400,000.

TITLE IV

GENERAL PROVISIONS—THIS ACT

SEC. 401. Such sums as may be necessary for fiscal year 2010 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 402. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 403. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 404. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2010, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose; (5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or (7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the explanatory statement accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: *Provided*, That not later than 60 days after the date of enactment of this Act, each agency funded by this

Act shall submit a report to the Committees on Appropriations of the Senate and of the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2010 from appropriations made available for salaries and expenses for fiscal year 2010 in this Act, shall remain available through September 30, 2011, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

SEC. 407. All Federal agencies and departments that are funded under this Act shall issue a report to the House and Senate Committees on Appropriations on all sole source contracts by no later than July 31, 2010. Such report shall include the contractor, the amount of the contract and the rationale for using a sole source contract.

SEC. 408. (a) None of the funds made available in this Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 409. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided*, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: *Provided further*, That any use of funds for mass transit, railroad, airport, seaport or highway projects as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownsfield as defined in the Small Business Liability Relief and Brownsfield Revitalization Act (Public Law 107–118) shall be considered a public use for purposes of eminent domain.

SEC. 410. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 411. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service, and has within 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 412. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

SEC. 413. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

The CHAIR. No amendment shall be in order except the amendments printed in part A of House Report 111–219, not to exceed seven of the amendments printed in part B of the report if offered by the gentleman from Arizona (Mr. FLAKE) or his designee; not to exceed two of the amendments printed in part C of the report if offered by the gentleman from Texas (Mr. HENSARLING) or his designee. Each amendment may be offered only in the order printed in the report, shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question.

The proponent of any such amendment may modify its amendatory instructions before the question is put thereon.

After disposition of the amendments specified in the first section of House Resolution 669, the Chair and ranking minority member of the Committee on Appropriations or their designees each may offer one pro forma amendment to the bill for the purpose of debate, which shall be controlled by the proponent.

PART A AMENDMENT NO. 1 OFFERED BY MR. OLVER

The CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 111–219.

Mr. OLVER. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 1 offered by Mr. OLVER:

Page 2, line 13, after the first dollar amount, insert ''(reduced by $250,000)''.

Page 4, line 6, after the dollar amount, insert ''(reduced by $3,000,000)''.

Page 8, line 9, after the dollar amount, insert ''(increased by $1,000,000)''.

Page 8, line 16, after the dollar amount, insert ''(reduced by $1,000,000)''.

Page 38, line 7, after the first dollar amount, insert ''(increased by $250,000)''.

Page 43, line 3, after the dollar amount, insert ''(increased by $3,000,000)''.

Page 92, line 5, strike ''$4,600,607,000'' and insert ''$4,598,607,000''.

Page 93, line 12, strike ''$18,000,000'' and insert ''$16,000,000''.

Page 93, line 22, before the period insert the following: '': *Provided further*, That none of the funds made available under this heading may be used for the construction and facility buildout of a multi-purpose complex at Indiana University of Pennsylvania''.

Page 109, lines 3 and 4, strike '', except that no principal limit factor may be reduced below 60''.

At the end of the bill (before the short title), insert the following:

SEC. 414. None of the funds made available in this Act may be used for first-class airline accommodations in contravention of sections 301-10.122 and 301-10.123 of title 41, Code of Federal Regulations.

SEC. 415. None of the funds made available in this Act may be used to purchase a light bulb for an office building unless the light bulb has, to the extent practicable, an Energy Star or Federal Energy Management Program designation.

The CHAIR. Pursuant to House Resolution 669, the gentleman from Massachusetts (Mr. OLVER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. OLVER. Mr. Chairman, this is a good amendment that makes a handful of modest changes to the bill. It adds $250,000 for the National Highway Traffic Safety Administration to develop safety standards for the incorporation of alternative fuel technologies in vehicles.

It increases the Federal Rail Administration's Railroad Research and Development account by $3 million, which will allow the FRA to perform multiple studies that were authorized in last year's rail safety bill. It provides $1 million for the Federal Aviation Administration to support commercial space activities.

This amendment includes two provisions championed by Representative CUELLAR from Texas and included in previous appropriations bills, one that requires the use of energy-efficient bulbs in Federal buildings; and the second, which precludes Federal employees from flying first class.

Last, we have included a technical change to a provision that my ranking member, Mr. LATHAM, has championed in order to ensure that the Home Equity Conversion Mortgage program can be implemented without Federal subsidy.

I reserve the balance of my time.

Mr. LATHAM. Mr. Chairman, I would ask for the time in opposition, although I will not oppose his amendment.

The CHAIR. Without objection, the gentleman from Iowa is recognized for 5 minutes.

There was no objection.

Mr. LATHAM. Let me just express my frustration in this amendment, and they're all good projects. There are five amendments, all Democrat amendments, all of substance, that we could have agreed on. But also, looking through the list here: We have another four or five amendments that we could have agreed on, of substance, and we will agree on.

Again, I go back to the fact that the Rules Committee, the process is just totally out of whack, and the fact that while I don't oppose these—actually, one of the projects that Mr. BRALEY referred to is something that I started several years ago and has been very, very successful as far as using soybean grease as far as lubricants on railroads. It's been in practice now for several years.

It's the frustration I have that we couldn't have substantive amendments made in order. We have five Democratic amendments put in here, of substance, while we were denied that option. I think it is extremely unfair and really brings shame upon this body and the process that should be in place for all of our constituents to have their Representatives here to decide and vote on amendments which would be of importance to their districts and to the Members' constituents.

I just, again, express my total frustration with the Rules Committee. I don't blame the chairman at all, but it's just the process has totally fallen apart.

With that, I yield 2 minutes to the gentleman from Georgia (Mr. BROUN).

Mr. BROUN of Georgia. I thank the gentleman for yielding. Mr. Chairman, I come before you today to protest this restrictive process.

Mr. Chairman, I have submitted a handful of very simple, straightforward, and commonsense amendments to this body. This arbitrary process of choosing which amendments are allowed to be considered on the floor is unworthy of this institution and has damaged the democratic process.

Is the majority leadership so afraid of making their Members vote against such commonsense measures as cutting this bill by half a percent that they wouldn't even allow debate?

I also submitted an amendment that would have prohibited any money in this bill to be spent on bike paths. Mr. Chairman, maintaining bike paths is clearly not a function of the Federal Government, and especially in these tough economic times and an era of large deficits.

This is not an appropriate use of Federal funds and taxpayers' dollars. At a time when our Federal Government is hemorrhaging money and selling bonds to foreign countries like China just to be able to keep the lights on, building bike paths is certainly a frivolous expense that should be cut out of this bill. Unfortunately, this amendment was not allowed to be debated.

The distinguished chairman of the Appropriations Committee has made it known that he is conducting the appropriations process in this restrictive manner in the interest of time. But, Mr. Chairman, that argument does not make any sense.

The Constitution has mandated this body with a finite number of basic responsibilities. Chief among those is allocating Federal dollars. If we cannot spend more than 1 hour debating appropriation bills that allocate hundreds of billions of dollars, then I would suggest that our priorities, the ones that deserve time on this very floor, are misplaced.

I urge my colleagues to vote ''no'' on this legislation and for the majority party to turn the legislative process back to regular order.

Mr. OLVER. Could I inquire how much time there is remaining.

The CHAIR. The gentleman from Massachusetts has 3½ minutes. The gentleman from Iowa has 2 minutes.

Mr. OLVER. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. I speak in favor of the manager's amendment. This is a very important bill putting America back to work and working on infrastructure and transportation systems that are so important to America's economic vitality and growth. But also, rail transportation is important. Rail is important in many ways, both in a commercial way and in a passenger way.

This particular manager's amendment puts an additional $3 million into the Federal Railroad Administration's Research and Development account. It's certainly the hope of many Members that this will allow for studies of high-speed rail, one of which will go from Little Rock to Memphis, and other studies, so that we can have more high-speed rail and less use of automobiles safe with the environment, and make passenger traffic more available to more people at a more reasonable cost.

Mr. LATHAM. Again, I just want to reiterate, these are good, substantive amendments. All have merit. The frustration I have is that all five are Democrat amendments, never even an opportunity. And there will be several more Republican amendments here that we'll probably agree on. I don't know why we couldn't do this. But it's frustration I have with the process, and it's very concerning to me.

Mr. BRALEY of Iowa. Mr. Chair, I rise today in strong support of the Manager's Amendment to the Transportation HUD Appropriations Act. I'm pleased to have secured an increase of $3 million in this amendment for the Federal Railroad Administration's (FRA's) Railroad Research and Development Account. This additional money for FRA's Railroad Research and Development Account could fund the Biodegradable Lubricants study authorized in Division B: Section 405 of the Railroad Safety Enhancement Act of 2008 as well as other feasibility studies authorized in that bill, and I believe that a portion of this funding should go towards the Biodegradable Lubricants study. This study will help reduce our dependence on foreign oil and reduce our national addiction to petroleum imports. If all industrial lubricants used annually in the U.S. could be replaced with biobased versions, over 2 billion gallons of petroleum per year would be replaced.

In performing this study, the National Ag-Based Lubricants Center (NABL) at the University of Northern Iowa would be a perfect partner for the Federal Railroad Administration. NABL's expertise and resources in biobased lubricants is unmatched, and it is the only entity whose primary mission is the research and testing of agricultural-based lubricants. I thank the Chairman for including $3 million in additional funding for the FRA's Railroad Research and Development account and I look forward to seeing the Transportation HUD Appropriations Act signed into law.

Mr. LATHAM. I will support the gentleman's amendment, and I yield back the balance of my time.

Mr. OLVER. Mr. Chairman, I believe this is a good amendment, and I would ask for its passage, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. OLVER).

The amendment was agreed to.

PART A AMENDMENT NO. 2 OFFERED BY MR. HENSARLING

The CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 111–219.

Mr. HENSARLING. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 2 offered by Mr. HENSARLING:

Strike line 20 on page 87 and all that follows through page 88, line 12.

The CHAIR. Pursuant to House Resolution 669, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. By any possible measurement whatsoever, spending is out of control in the Nation's Capital. Already, this Democratic-controlled Congress has spent $1.1 trillion on a government stimulus plan costing every American household $9,810. That included $100 million for an after-school snack program, $10 million for urban canals. The list goes on.

This Democratic majority in Congress has also passed an omnibus bill costing $410 billion, weighing in at roughly $3,500 per American household. That one included $150,000 for lobster research in Maine and $143,000 to develop and expand a comprehensive online encyclopedia.

Now we know, once again, after the President's press conference last evening, he and the Democrats in Congress will go forward on a government-controlled health care plan that even the Congressional Budget Office, appointed by Democrats, says will cost a minimum of a trillion dollars. Again, costing every American household roughly $9,000.

And what do we have for all this, Mr. Chairman? What do we have?

We now have the single largest Federal deficit that we have ever had in our Nation's history. It crossed the trillion-dollar mark. There was a time not too long ago we always talked in terms of billions; and now it's trillions are rolling off the tips of our tongues.

The Federal debt, the Federal debt under this spending program will triple, triple in the next 10 years. This Congress is on a trajectory to create more debt in the next 10 years than in the previous 220. We're borrowing forty-six cents on the dollar, mainly from the Chinese, and sending the bill to our children and grandchildren.

Mr. Chairman, it is crushing not only to the next generation; it's crushing job growth. Since the President has come into office, an additional 2.6 million Americans have lost their jobs. At 9.5 percent, we're looking at the largest unemployment that we've seen in a quarter of a century. Enough is enough.

And so I want to take the President up on a challenge that he issued to Congress just a couple of months ago. He said, ''If we're going to rebuild our economy on a solid foundation, we need to change the way we do business in Washington. We need to spend money wisely.''

The President went on to say, ''That starts with the painstaking work of examining every program, every entitlement, every dollar of government spending and asking ourselves: Is this program really essential? Are the taxpayers getting their money's worth?'' Those are the words of our President, Mr. Chairman.

□ 1400

Mr. Chairman, today I just want to focus on one program, one program out of an estimated 10,000 programs. It's called HOPE VI. Well, according to OMB—and you can look at their Web site—this is the program that has already accomplished its original objective. According to OMB, HOPE VI ''has completed its goal of contributing to the demolition of 100,000 severely distressed public housing units.''

Now, since achieving its original objective, OMB goes on to further say, The program is more costly than other programs that serve the same population. The program has accomplished its stated mission. And furthermore, I am told—and I hope that the distinguished chairman can shed some light on this. I'm told the program is sitting on almost $1 billion of unexpended balances.

I mean, we're shoving more money their way, Mr. Chairman, and they can't even spend the money that they already have. It's time for us to lead by example, terminate one program, and quit borrowing the money from the Chinese and sending the bill to our children and grandchildren.

I reserve the balance of my time.

Mr. OLVER. I rise to claim the time in opposition to the amendment.

The CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. I rise in opposition to the amendment. The HOPE VI program was launched in 1992 to allow the replacement of affordable housing that had deteriorated and was determined to be uninhabitable. The annual appropriations for about 10 years after that point were $500 million per year or thereabouts.

During that time, 25 to 30 applications were awarded each year, and some of those programs went forward very expeditiously and some of them did not move forward as expeditiously. But in at least the last 5 years, under the previous administration, each year the administration attempted to rescind the appropriation that had been made the previous year and then zero out the program for the year that we were appropriating for, attempting not just to cripple but to terminate the program.

Congress refused, because many communities still had projects for the program, so we still had five or six projects per year, because the appropriation was for several years, at least 5 years, was frozen around $100 million or thereabouts per year. Now, it is my understanding, at least, that what are—typically programs and projects that had been afforded money under the program of HOPE VI took from 3 to 7 years and that would be used to complete. Some took longer.

During the past year, we have been able to get the Department of Housing and Urban Development to spend special time, special effort, through technical assistance and working with the organizations that had the applications in, to go back and make certain that those that had been awarded in 2002 and 2003 were moving forward. They made some serious progress on that, but there is still need for this program.

At this point I yield 2 minutes to the gentleman from Massachusetts (Mr. FRANK), who is the chairman of the Authorizing Committee, because so great is the need that the Authorizing Committee has been working on that.

Mr. FRANK of Massachusetts. I thank my colleague who does an excellent job in chairing the subcommittee.

While the author of this amendment and myself both serve on the Financial Services Committee, I think I can say that on a bipartisan basis over the years, the Financial Services Committee has shown a lot of support for this program and for improving it.

The gentleman cites some unexpended balances, but here's the problem. There's kind of a catch-22 here. If program money is spent too rapidly and it is then spent inefficiently, there is criticism. What has happened with HOPE VI is that in response to some legitimate criticism, some controls were proposed to slow things down. This money ultimately gets spent, but it gets spent in a way that is less likely to be abused.

It is also the case that there is a kind of ''you lose either way'' argument made against public housing. Often the criticism is in that public housing warehouses people in large projects that do not have the capacity to provide a decent living environment. HOPE VI is an effort to preserve the units, because we do have a shortfall for family public housing in many parts in the country, not in all, but by redoing the projects to remove the stigma that has attached. And if you get rid of the HOPE VI program, you then abandon the notion that you are going to go to existing public housing to try to make it more livable and less concentrated.

Now, that's not an easy thing to do. We've been working, again, in a bipartisan way on ways to improve that, to bring in other services, to coordinate how you do it. But to simply shut the program off is, I think, to say to the people who live in the public housing that was built inappropriately—the residents didn't build it, society built it and put them there.

It would say, We are abandoning any effort to improve the liveability of where you are, and also then make them more vulnerable to criticism and build opposition to the whole notion, when the alternative is to make the living conditions better for the people in the surrounding communities.

Mr. OLVER. I reserve the balance of my time.

The CHAIR. The gentleman from Texas has 1 minute remaining, and the gentleman from Massachusetts has the option of closing.

Mr. HENSARLING. Thank you, Mr. Chairman.

Again, the President of the United States says, Start the painstaking work of examining every program. Mr. Chairman, we have a program that, number one, has achieved its mission; number two, it is now effective; number three, it is duplicative of another program; number four, it has at least 5 years of appropriations in the pipeline; number five, we are looking at the single-largest deficit in the entire history of the United States of America. We have the largest unemployment rate in 25 years.

Mr. Chairman, out of 10,000 Federal programs, if you won't terminate one to quit borrowing money from the Chinese and sending the bill to our children and grandchildren, if you won't terminate this program, I mean, please, which one will you? Is there ever a point where you say, Enough debt is enough? Is there ever a point where you finally conclude that the

best housing program in America is a job? Let's create the jobs. Let's not destroy the jobs. I urge adoption of the amendment.

I yield back the balance of my time.

Mr. OLVER. Mr. Chairman, just last fall this House passed reauthorization legislation for HOPE VI and authorized for the first year of that $750 million. The work of HOPE VI simply is not done. That represents how much the demand is on the part of the membership of the House.

Basically, what I would say here is that this work needs to continue. There is much need for affordable housing in this country. The HOPE VI program is not duplicated by anything else that I know of, and I would urge that the amendment be defeated.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. HENSARLING. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

PART A AMENDMENT NO. 3 OFFERED BY MR. LATHAM

The CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 111–219.

Mr. LATHAM. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 3 offered by Mr. LATHAM:

Page 44, line 8, after the dollar amount, insert ''(reduced by $3,000,000,000)''.

Page 45, line 21, strike ''*Provided further*,'' and all that follows through the semicolon on page 46, line 8.

The CHAIR. Pursuant to House Resolution 669, the gentleman from Iowa (Mr. LATHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. LATHAM. I thank the chairman very much. This really is a very simple amendment. I seek to bring the funding level for high-speed rail back down to the President's request of $1 billion and strike the transfer authority for the National Infrastructure Bank.

When the stimulus deal was announced by the President and the Democrat leadership, we were told that the plan was to provide $8 billion for high-speed rail in the stimulus and another $1 billion a year for the next 5 years. My amendment meets the President's goals and his plans. We are just now embarking on this high-speed rail initiative. The stimulus funds are still in the Treasury. They haven't been spent, and there is little reason to dump another $3 billion on top of an unspent $8 billion since the committee hasn't even had the time to do any oversight at all in this area.

I know the chairman is going to reference that there is pent-up demand for high-speed rail, and he is going to mention $100 billion in grant applications. Are we really ready to embark on a $100 billion endeavor on top of the million-, billion- and trillion-dollar endeavors already under consideration? We don't even know if those grant applications have any feasibility at all.

Second, this amendment would strike the transfer to the National Infrastructure Bank. The administration requested $5 billion for a bank in their budget requests, but it didn't include any authorizing language at all. I know there are a few bills out there that would authorize this, and those proposals should be considered in the regular authorizing process. However, there is no bank today. There is no authorized bank in which to put this money. I'm not opposed to the bank idea, but I believe we should know what the activities and programs are that we are paying for up front.

The bill before us gives authority to transfer $2 billion to the bank on October 1, 2010, should the bank ever be authorized by that date. Now, October 1, 2010, is actually in the 2011 fiscal year, and this committee will have the opportunity to consider funding that bank within the budget priorities for fiscal year 2011 under that 2011 allocation. There is absolutely no reason to do that now.

I did have an amendment to transfer the $3 billion to the highway trust fund, but the Rules Committee was probably too worried that the amendment may pass. However, without the transfer, this is still a good amendment. Cutting an extra unrequested $3 billion from this account still meets the President's request, his commitment, and would give me good reason to support this otherwise pretty good bill.

I urge the adoption of my amendment. Again, I just want to make sure people know that this is $3 billion on top of the $1 billion the President requested, $2 billion of which is set aside—people talk about this money going to high-speed rail. It's not going to go there. This is set aside in a fund basically to be held so that just in case this infrastructure bank is authorized, the money will go there. This has nothing to do with high-speed rail. It has everything to do with making this a bill that people can support.

I reserve the balance of my time.

Mr. OLVER. I rise to claim the time in opposition.

The CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. First of all, I want to say that this high-speed rail, the program for combined high-speed and intercity passenger rail, that is the most important transportation initiative since the Eisenhower Interstate Highway System, the National Defense Highway System of 50 years ago, which took a generation, basically, to build. It's not going to happen quickly. It's going to take a period of time, there is no question, but it is the most important initiative. There is pent-up demand. There is a huge demand.

The first preapplication period for this bill brought in $100 billion of applications for $8 billion that was in place there. If we do not add significantly to that, as this bill does do, by adding $4 billion to the $8 billion that is already there, then people will lose faith or wonder, Are we in this seriously? Are we going to do high-speed and intercity passenger rail, as had been proposed and put forward in the recovery bill earlier or aren't we intending to do that?

□ 1415

I think we must keep this momentum going, for if we lose it, then that would be a very bad thing to have happen. There are applications for more than 40 States in the union totaling a hundred billion dollars. Some of those are going to be in construction later this year or early next year. The actual final applications are due for the smaller projects within a month. And within 2 months after that, they are supposed to be in awards. So they are expected to be providing jobs next year.

So I think that that is a very appropriate way to keep our public momentum going toward passenger and intercity rail, high speed and intercity passenger rail.

I reserve the balance of my time.

Mr. LATHAM. I will reserve at this time.

Mr. OLVER. How much time is left now?

The CHAIR. The gentleman from Massachusetts has 3 minutes. The gentleman from Iowa has 1 minute. The gentleman from Massachusetts has the right to close.

Mr. OLVER. I yield 1½ minutes to the gentlewoman from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. Today I rise to encourage my colleagues to vote ''no'' on this amendment that would cut funds for high-speed and passenger rail funding. Just 1 week ago, the Department of Transportation announced that it received 278 preapplications for high-speed and intercity passenger rail funds totaling $102 billion. Northeastern States submitted 79 applications totaling $35 billion; the South and Southeastern States 44 applications totaling $66 billion; Northwestern States submitted 47 applications totaling $13 billion; and the Western States submitted 108 preapplications totaling $38 billion.

Clearly, there is an increased demand for high-speed rail for the future and transportation of America. It will provide more efficient travel, increase U.S. jobs, reduce hydrostatic carbon emissions from all transportation sources, increase economic competitiveness, and reduce the dependence on foreign oil. And prove that freight lines

will also offer more effective freight service. But the $8 billion provided in the American Recovery Act is just the beginning.

I urge my colleagues to vote ''no'' on this amendment.

Mr. LATHAM. I will reserve at this time.

Mr. OLVER. I yield 1¼ minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. I rise in strong opposition to this amendment. It eliminates $3 billion in high-speed rail funding for 2010, including the $2 billion that could go to capitalize a much-needed infrastructure bank if authorized. We need to look to improve our way of life, create jobs, foster long-term economic growth, which we can do through an infrastructure bank which is an independent entity, would consider a broad range of infrastructure projects objectively, leverage hundreds of billions of dollars in private capital to put toward rebuilding America.

This is not a partisan issue. This past week the bipartisan National Governors Association endorsed the concept of an infrastructure bank by resolution. The U.S. Chamber of Commerce, labor groups strongly support this effort. President Bush's transportation secretary, Mary Peters, said there are upwards of $400 billion in private capital available through pension funds, sovereign wealth funds.

To invest in our Nation's infrastructure, we need to harvest the power of that private capital and in a smart way and in an effective way in order for us to remain competitive in the 21st century.

I urge my colleagues to reject this amendment.

Mr. LATHAM. I yield myself the remainder of the time.

I will have to say I'm a little bit confused. First they're saying that this is a cut to high-speed rail, and then the last speaker got up here and said, Well, no, that money is not for high-speed rail, it's for some program that hasn't even been authorized yet. I'm not quite sure where we are here, because we're talking about spending the same money two or three times. I would suggest to the gentlewoman from Connecticut that there is no authorized bank. And by the language in this bill, those dollars could not be transferred until the next fiscal year, which means that the whole next year's cycle, if this bank is authorized, if that money is needed, we can do that next year.

But to have this money sit in a slush fund basically and do nothing—and everyone knows it's not going to go out the door, and the gentleman from Massachusetts knows—my chairman, who I love dearly—but he knows that I made this statement in committee. I'm not against high-speed rail. As a matter of fact, I made the statement on two different occasions that I think the $787 billion of stimulus money could have had actually been well spent and we could have a national high-speed rail system and actually accomplish something if we would have spent all of that money in the stimulus just on high-speed rail. We would have the Eisenhower Interstate Project. I'm not against it, but I'm just saying to have this money sit here and do nothing when we've got a critical issue, as far as the highway trust fund that needs funding immediately, is simply wrong.

Let's save the money, let's make the bill acceptable to a lot more people who can support it on a bipartisan basis.

I yield back the balance of my time.

Mr. OLVER. As the gentleman understands, the $4 billion is available in this fiscal year for which we're appropriating only for high-speed rail. And I hope that it will remain there.

I urge the defeat of the amendment so that we will keep the momentum up and keep the building, the development of high-speed rail moving forward as fast as possible.

Mr. HARE. Mr. Chair, I rise in strong opposition to this amendment.

I thank Chairman OBEY and OLVER for including $4 billion in this bill to create a 21st Century passenger rail system that will strengthen the economy by creating jobs, reducing congestion and improving mobility on our nation's highways.

For every $1 billion invested in transportation, 35,000 jobs are created. With our economy suffering from one of the worst recessions in memory, this is the type of growth we should be promoting.

This money will help fund projects like the Chicago-Quad Cities-Iowa City passenger rail line near my home town. This plan will benefit businesses, leisure, and commuter travel, as well as positively impact regional commerce. In the Quad Cities alone, this project is estimated to create nearly 825 jobs and increase household income by almost $16 million.

The amendment before us slashes funding for high-speed and intercity passenger rail and prohibits the transfer of monies to a National Infrastructure Bank to fund the future modernization of our nation's road and rail systems. This will thwart economic growth by killing future jobs.

I strongly urge my colleagues to reject this amendment, and instead, support growing our economy, improving mobility, and protecting the environment.

Mr. BRALEY of Iowa. Mr. Chair, I rise today in opposition to the Latham amendment, which could seriously jeopardize Iowa's effort to bring passenger rail to the State. For the last two and a half years, I've been a strong advocate for bringing rail service from Chicago to Iowa, and this amendment cuts the very funds that will help make this rail service a reality. This amendment could lead to a loss of Iowa jobs, as well as reduced economic development opportunities throughout the state.

Two new passenger rail routes that will provide significant public and economic benefit are the lines from Chicago to the Quad Cities and Chicago to Dubuque, Iowa. Both routes would open up large parts of rural Illinois and eastern Iowa to huge economic growth and prosperity. These routes would also provide vacation spots for residents of Chicago in scenic Dubuque and Davenport, Iowa. The availability of passenger rail heading west from Chicago could also help eliminate congestion at O'Hare airport as many airline passengers fly regionally to the Quad Cities, Dubuque and Des Moines. Bringing rail service to Iowa would bring the opportunity to extend these Amtrak routes to Iowa City, Des Moines, Waterloo, and other cities. Many travelers would then be able to choose a train ride over the stress of the airport. Expanded passenger rail service would help reduce our dependence on foreign oil by encouraging the use of rail for travelers and decreasing the use of gasoline. Both of these routes would provide new passenger transportation through the heart of the country, bringing new opportunities to many Midwestern cities, creating jobs, and providing new transportation options for families and businesses. I can't support a proposal that could put the future of these projects in doubt.

The CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. LATHAM).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. LATHAM. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

PART A AMENDMENT NO. 4 OFFERED BY MR. MCHENRY

The CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 111–219.

Mr. MCHENRY. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 4 offered by Mr. MCHENRY:

Page 46, line 21, after the dollar amount insert ''(reduced by $1,000,000)''.

Page 50, line 15, after the dollar amount insert ''(increased by $1,000,000)''.

The CHAIR. Pursuant to House Resolution 669, the gentleman from North Carolina (Mr. MCHENRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. MCHENRY. Mr. Chairman, the Office of Inspectors General throughout our government do a yeoman's task at providing oversight of Federal spending, and I think it's important that these matters be brought before the House.

Mr. Chairman, at a time when Congress is burning through unprecedented amounts of taxpayer dollars, oversight and accountability are of greatest importance. We need to know who's getting the money and what it's being used for. As of the end of June, this Congress has already spent $2.6 trillion, and we're on pace to have a $1.8 trillion deficit this year—the largest in our Nation's history. The American people know we're spending a lot of money in Washington. Whether they like it or not is another question. But we need to make sure that we're getting value for our dollar. Amtrak has recently benefited from this unprecedented funding

by taking in $1.3 billion from the so-called stimulus bill in addition to their annual appropriations of $1.4 billion.

This makes it all the more troubling to find out that in the course of conducting his oversight activities, Amtrak's former inspector general, Fred Weiderhold, was being misinformed, deceived, and circumnavigated by lawyers and bureaucrats within his agency in his effort to track down stimulus money. And the same day that a report came out highlighting the ways in which Amtrak officials were interfering with his job, Mr. Chairman, Inspector General Weiderhold unexpectedly resigned. This raises many questions about the sudden departure of a career official, particularly where there is political pressure from the current administration for him to step down.

The Oversight and Government Reform Committee—of which I am a member—is launching currently an investigation into this matter, which occurred last month, and I look forward to seeing what comes out of this investigation. The reason why I bring it before the House is so that Members know what's happening with inspectors general across the government.

However, it doesn't just stop with the Amtrak inspector general. His resignation is only one of what seems to be a larger pattern of inspector general purges throughout the Obama administration. Gerald Walpin, the long-time inspector general for the Corporation of National and Community Service, which overseas AmeriCorps, was fired in June after his investigation into the use of grant funds for political purposes turned up some disturbing information.

Judith Gwynne, the acting inspector general for the International Trade Commission, was also fired last month, coincidentally right after Senator GRASSLEY of Iowa expressed concerns in a letter to the International Trade Commission chairwoman about the potential agency obstruction of Ms. Gwynne's investigations of contractors' activities.

Even Neil Barofsky, who is a special inspector general for the TARP—or the bailouts—has expressed worry after Treasury Department officials informed him that the Department had legal authority over his office.

We need to make sure that we have proper oversight and accountability of the funds that we're spending in this government. The American people deserve comprehensive, around-the-clock oversight of spending. That's why we have inspectors general. The administration's pattern of undermining and removing oversight when it becomes politically inconvenient makes this all more important to be brought to the attention of the House.

And the reason why I rise today is under these limited rules that we have on appropriations bills, it's very difficult to bring issues before the whole House. And so that's why I speak today to make sure that we have inspectors general throughout the government, not just in Amtrak, that are able to do their job without political interference from any administration or any outside forces.

So that's why I rise today, to make sure that I have this opportunity to bring it before the House of Representatives and its Members.

I ask unanimous consent to withdraw my amendment.

The CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

PART A AMENDMENT NO. 5 OFFERED BY MR. SCHOCK

The CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 111–219.

Mr. SCHOCK. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 5 offered by Mr. SCHOCK:

Page 96, line 19, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 105, line 19, after the first dollar amount, insert ''(increased by $5,000,000)''.

The CHAIR. Pursuant to House Resolution 669, the gentleman from Illinois (Mr. SCHOCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. SCHOCK. Mr. Chairman, I yield myself as much time as I may consume.

Our country continues to see a significant increase in foreclosures, which are up 18 percent this January over last. Those figures continued to rise the first quarter of 2009, with an additional 616,000 homeowners filing foreclosures. Over 25,000 of those foreclosure were in my home State of Illinois alone. And now the percentage of subprime loans in foreclosure has, for the first time ever, eclipsed 14 percent.

We have all heard about these ridiculous loans: ballooning adjustable rates, reverse amortization, and interest-only mortgages which never actually provide home ownership. These vehicles of financial ruin usually have only one possible result for the homeowner: foreclosure.

And while it would be much too simplistic to place the blame for the housing crisis at the feet of these irresponsible loans, they are certainly the chief culprits. And while many programs have been enacted to help victims who have fallen victim to these deceptive practices, little has been done to ensure that this crisis does not happen again, that future homeowners are not lured by irresponsible mortgages. It is time we take some preventative action to make certain homeowners have access to professionals which will assist them in understanding what they are getting into, and hopefully not only delinquency but ultimately foreclosure.

The amendment I am offering today is a simple transfer of funds, yet will go great lengths to ensure that the American people have access to additional necessary resources before purchasing a home.

Mr. OLVER. Will the gentleman yield?

Mr. SCHOCK. I will.

Mr. OLVER. I thank the gentleman for yielding.

I think the gentleman has found a very appropriate amendment. It takes a small amount of money from a very large program to put into a program that we have supported and I have supported strongly. I am perfectly willing to accept the gentleman's amendment.

□ 1430

Mr. LATHAM. I will join the chairman, and we will certainly be glad to accept the amendment.

Mr. SCHOCK. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. SCHOCK).

The amendment was agreed to.

PART A AMENDMENT NO. 6 OFFERED BY MR. CAO

The CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 111–219.

Mr. CAO. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 6 offered by Mr. CAO:

Page 152, line 17, strike ''bi-annually'' and insert ''quarterly''.

The CHAIR. Pursuant to House Resolution 669, the gentleman from Louisiana (Mr. CAO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. CAO. Mr. Chairman, I rise today in support of amendment No. 6 to the appropriations bill. I thank Chairman OLVER and Ranking Member LATHAM for their support and assistance.

Mr. Chairman, this amendment will require the Neighborhood Reinvestment Corporation, also known as Neighborworks, to report to Congress on a quarterly rather than biannual basis on their efforts to mitigate mortgage defaults. Given the current concerns over the state of the housing and financial markets and the outlay of taxpayer dollars, it is imperative that we pass this amendment to strengthen congressional oversight of this agency.

I'm not criticizing the good work that Neighborworks has done. In fact, I appreciate their service to several projects in my district, including a soft-second mortgage program and the Hoops for Homes partnership with the New Orleans Hornets. However, given the size of the corporation and the scope of its financial work, Neighborworks should report to Congress more frequently to help us understand and facilitate its efforts. The Constitution allows Congress to delegate its ''power of the purse'' as it

pleases. However, we must do so with care and deliberation, no matter how well-meaning the project. Congress needs to be balanced in its commitment to repairing the housing market. Just as we are keeping close watch over the expenditure of taxpayer funds in bailout money, we need to keep the same watch over other Federal programs.

I encourage a ''yes'' vote on this amendment.

I reserve my time.

Mr. OLVER. Mr. Chairman, I claim the time in opposition, but I am not opposed.

The CHAIR. Without objection, the gentleman from Massachusetts is recognized for 5 minutes.

There was no objection.

Mr. OLVER. In fact, I am willing to accept the gentleman's amendment.

Mr. LATOURETTE. Will the chairman yield?

Mr. OLVER. I'm happy to yield.

Mr. LATOURETTE. I thank the distinguished chairman. We are also pleased with the gentleman's amendment and are willing to accept it.

Mr. CAO. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. CAO).

The amendment was agreed to.

PART A AMENDMENT NO. 7 OFFERED BY MR. FRELINGHUYSEN

The CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 111–219.

Mr. FRELINGHUYSEN. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 7 offered by Mr. FRELINGHUYSEN:

At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available under this Act may be used by the Federal Aviation Administration to implement the New York/New Jersey/Philadelphia Airspace Redesign project.

The CHAIR. Pursuant to House Resolution 669, the gentleman from New Jersey (Mr. FRELINGHUYSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield myself 1 minute.

I rise today to offer an amendment, along with my colleagues LEONARD LANCE and RUSH HOLT of New Jersey and ELIOT ENGEL of New York, that would force the FAA to halt the implementation of its redesign of the New York/New Jersey/Philadelphia airspace unless they immediately address the issue of aircraft noise over our area. While the safety of passengers, their travel time, and the needs of the airline industry's survival is paramount, so is the right of the people on the ground, not all of whom are air travelers themselves, who have a right to a quality of life with a minimum exposure to aircraft noise overhead.

The FAA has never adequately addressed the issue of aircraft noise, despite repeated congressional requests and statutory requirements to do so, not only for our part of the country, but across the Nation, as we have heard from various colloquies today. There were 13 lawsuits seeking to block this redesign because of noise and other environmental concerns. Members of Congress have proposed several studies that have sought to find other solutions to improve the airspace. So, clearly, there is support for putting this redesign on hold.

The CHAIR. The time of the gentleman has expired.

Mr. FRELINGHUYSEN. I yield myself another 30 seconds, Mr. Chairman.

Members of Congress have proposed several studies that have sought to find other solutions to improve the airspace, so it is clear their support for putting this redesign on hold. Mr. Chairman, despite the fact that appropriations bills over many years that fund the FAA have directed the FAA to address the issue of aircraft noise, the FAA has turned a deaf ear to this issue. Maybe they will hear us this time.

And I reserve the balance of my time.

Mr. OLVER. Mr. Chairman, I claim the time in opposition.

The CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, the amendment that has been offered prohibits the implementation of the New York airspace design which FAA has worked on now for about 10 years, and it would appear from the gentleman's language that it is on the basis of airport noise, not the overhead noise, but rather the ground noise. Well, with airplanes nowadays, each new sequence of airplanes is quieter than they were in the past, at all levels and more efficient at all levels, whether they're flying high or low or on the ground than had been previously the case. But that is only one point here.

Many parts of this country have completed the redesign of the airspace in their regions over the last several years. And why is that important? Well, it is important because the national airspace is now carrying 750 million passengers per year and is expected to be increasing by 50 percent between now and 2025. Today, already, 40 percent of all flight delays in the national airspace system are part of the New York area flights, both incoming and outgoing, which then causes backups all over the country.

We know we are approaching gridlock in our air traffic control system, which is based on a ground-based sight by radar system which is technologically a half century old. It is really old technology. We know we need to switch to a network satellite-based system for traffic control much more quickly than the present estimate of the year 2025.

To do that, we must finish airspace redesign all over the Nation, but particularly because of the congestion, the extensive congestion in the New York area, particularly in the New York area. So the space design and modern satellite-based traffic control allows planes to fly closer together, higher up, on a direct path, save energy in the process, run quieter because they can stay higher longer and be on the ground less than previously was the case.

The added capacity is absolutely necessary and will finally reduce delays in this most congested area by allowing the redesign benefits to accrue from environmental purposes, reducing emissions. Benefits are provided to the controllers because the new technology increases the flexibility in routing and helps balance their workload, and this amendment would delay the removal of congestion. It would prolong the use of outdated, inefficient technology. It would put noise reduction that is in the design process at bay, and it would delay the safe expansion of our air traffic travel capacity.

We have to move on in this 21st century and develop the fully new technology. This amendment should be defeated.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I'm pleased to yield 1 minute to my colleague from New Jersey (Mr. HOLT).

Mr. HOLT. I thank my colleague, Mr. FRELINGHUYSEN, for yielding time to me. I certainly support what the chairman has done in this bill, and I commend him for it. I'm not opposed to redesign of our airspace, but I am opposed to FAA's current redesign plan. The FAA developed and implemented the redesign without consulting key stakeholders, for example, the National Air Traffic Controllers Association, who are the primary users of these procedures.

Last year the FAA changed what is known as the ''dispersal headings'' for Newark and Philadelphia airports despite insufficient testing, unpublished procedures and failing to train the pilots and controllers. This led to frequent miscommunication between pilots and controllers, planes steering off course and near-collisions.

This amendment would strike the funding for continuing the New York/New Jersey/Philadelphia metropolitan airspace design to allow time for the FAA, the National Air Traffic Controllers and other parties to work together to develop a comprehensive, multilateral approach to improving the system. Funding this project, going ahead as it is, is putting the safety of our constituents at risk, not dealing properly with noise or the efficiency of air travel. I urge my colleagues to support the amendment.

Mr. FRELINGHUYSEN. I would like to yield time to Mr. ELIOT ENGEL from New York.

Mr. ENGEL. Mr. Chairman, I rise today in strong support of the gentleman from New Jersey's amendment to restrict funding for the FAA's ill-conceived New York/New Jersey/Philadelphia airspace redesign plan. This plan was jammed down our throats with zero input from the residents it harms the most. It would put an additional 200 to 400 flights a day over my constituents in Rockland County, New York, with lots and lots of overhead noise, and the FAA won't even tell us how much. They tried to do it without any kind of public hearing. They tried to sneak it. They have been a bad player and have acted in bad faith. There was no notification to myself or other elected officials whose districts are affected. The residents have not had ample opportunities to have their concerns and comments heard.

Landing at Newark Airport right over my communities is totally unacceptable. The noise level will be increased and, again, FAA doesn't tell us how much. I have let President Obama, Secretary LaHood and FAA Administrator Babbitt know that I am totally opposed to this. I commend the gentleman from New Jersey for this amendment. This plan must be defeated. It is not going to serve anyone, certainly not our country.

Mr. OLVER. Mr. Chairman, I yield 1½ minutes to the gentleman from Illinois (Mr. COSTELLO) who is the chairman of the Aviation Subcommittee of Transportation and Infrastructure.

Mr. COSTELLO. Mr. Chairman, I thank you for yielding.

Mr. Chairman, I rise in opposition to the amendment offered by my friend from New Jersey. The amendment would prevent the FAA from funding the implementation of the New York/New Jersey/Philadelphia metropolitan airspace redesign. The FAA's airspace redesign efforts will play a critical near-term role in enhancing capacity, reducing delays, transitioning to more flexible routing and ultimately saving money for the airlines and airspace users in fuel costs.

After 9 years of evaluation and a cost of over $53 million to the taxpayers, the FAA announced that it would implement a new airspace structure for the five major airports and several regional airports serving the New York/New Jersey/Philadelphia metropolitan area in September 2007.

Congestion and delays in this region ripple through the entire aviation system and cause delays all throughout our entire national airspace system. The FAA did extensive analysis and held more than 120 public meetings in five States throughout the environmental process. Delay benefits are estimated to reach 20 percent by the year 2011 compared to the amount of delays the air traffic system would have without the changes.

According to the FAA, one-half million fewer people will be exposed to noise under this plan compared to no change at all. In July 2008, the GAO issued a report on the airspace redesign and concluded the FAA's methodology to assess operational and noise impacts was reasonable.

Mr. Chairman, we must not delay the redesign project. We must modernize our airspace and move forward with the NextGen Air Transportation System.

Mr. FRELINGHUYSEN. Mr. Chairman, in closing, let me thank both Chairman OLVER and Mr. LATHAM, the ranking member, for a good bill. We are just trying to perfect it. And let me just say to Mr. COSTELLO, and I thank him for his leadership on these issues, I got the $53 billion through the appropriations process. And you would think that they could at least recognize the high incidence of aircraft noise over New York and New Jersey. This is a wake-up call to the FAA. We are not the only States where redesign is about to happen. I do think people on the ground have a right to let the FAA know, as they proceed with their redesign plans, that aircraft noise does affect the quality of life for Americans all around the Nation.

Mr. GARRETT of New Jersey. Mr. Chair, I rise in strong support for the amendment offered by the gentleman from New Jersey, Mr. FRELINGHUYSEN, to require that the FAA restrict the use of any funding for the implementation of the New York/New Jersey/Philadelphia metropolitan area airspace redesign.

I have no issue with improving the quality of air travel; I agree that flight delays are a serious problem, particularly at New York-area airports. I simply want to ensure that a fair and appropriate balance is reached between the quality of flight in the air and the quality of life on the ground.

For many years now, I have fought the FAA on its current plan to redraw the airspace over New York, New Jersey, and Connecticut. It would redirect thousands of flights per year over the houses of many of my constituents. This increased aircraft noise affects peoples daily lives in many ways. It is more than a nuisance. Aircraft noise can adversely affect children in schools; the elderly in nursing facilities; and families in their homes. Additionally, these homes may decrease in value as a result of this aircraft noise.

Proponents of the airspace redesign have long maintained that it is necessary to redesign the airspace because a significant portion of the delays in our national airspace derive from the tri-state area. We have long maintained that redesigning the airspace in the way the FAA is proposing would have very little effect on delays but would adversely affect the lives of thousands of people.

There is still time for the FAA to achieve a balance in this process between the needs of those in the air and those on the ground. This amendment would force the FAA to delay implementation of the redesign plan and find an alternative that would achieve a better balance between competing interests. I strongly support the gentleman's amendment, and urge its adoption.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield back.

The CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. FRELINGHUYSEN).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FRELINGHUYSEN. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

PART A AMENDMENT NO. 8 OFFERED BY MRS. BLACKBURN

The CHAIR. It is now in order to consider amendment No. 8 printed in part A of House Report 111–219.

Mrs. BLACKBURN. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 8 offered by Mrs. BLACKBURN:

At the end of the bill (before the short title) insert the following:

TITLE V—FIVE PERCENT REDUCTION

SEC. 501. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 5 percent.

The CHAIR. Pursuant to House Resolution 669 the gentlewoman from Tennessee (Mrs. BLACKBURN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

□ 1445

Mrs. BLACKBURN. Mr. Chairman, as I have said so often this year, I rise in defense of the American taxpayer. And once again, we find ourselves on the floor considering still more Federal spending. That spending hasn't brought back the millions of lost jobs. Our constituents are still asking, Where are the jobs? And as my colleagues have promised me, they're going to continue to ask that question.

It hasn't promoted the economic growth that is so desperately needed. What it has done, it has produced a deficit that will likely top $2 trillion this year. It has contributed to the largest Federal debt this Nation has ever known. That is the debt that my grandchildren will have to pay in missed opportunities and needless sacrifices.

Mr. Chairman, my amendment applies a 5 percent cut to this appropriations bill. That is a 5 percent cut to programs whose spending has increased by 146 percent over the last 3 years. That is 146 percent over the last 3 years. That is a 5 percent cut to programs that have already gotten $62 billion this year from the stimulus.

Mr. Chairman, I will shortly yield my time, but before I do, let me preview what I am sure my distinguished colleague will say in objecting to my amendment. He is likely to suggest that across-the-board cuts are bad because they do all the careful bipartisan work that is necessary to produce a good bill. And we know that everyone works hard on this legislation. We appreciate that. But we know there is

more work that can be done in perfecting these bills.

He'll tell us that this bill has made tough choices already this year, and respectfully, I disagree. How many hard choices have we really made as a body when we have seen spending more than $14 billion than was spent last year?

My esteemed colleagues may go through a litany of vital programs that would be destroyed by a 5 percent across-the-board cut. What my colleagues don't many times mention is that a 5 percent cut would allow each of the programs to still grow by 11 percent from last year's funding. And probably what we will hear is that this committee isn't really spending that much more, if you don't count the stimulus spending.

Now, all of these are things that we have heard this year during these 5 percent debates, but, Mr. Chairman, I will say I do count that stimulus spending. I count every penny we're spending because, indeed, it is my grandchildren who are some day going to have to pay this money back.

And with that, I reserve the balance of my time.

Mr. OLVER. Mr. Chairman, I claim the time in opposition.

The CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, the gentlewoman from Tennessee is quite correct. I will claim that an across-the-board cut of the sort that has been proposed in this amendment is the worst possible way that one can do this sort of thing.

In my opening remarks, I pointed out that this legislation has some $47 billion of appropriation for housing programs and that it's above the President's request in that area because we are trying to fill the gap for what has happened over the last 8 years of cuts in so many of the housing investment programs. And let me just give you an example of this.

One of the points I made in the opening was that one of the things we were particularly trying to do in the very good housing parts of this legislation was to support vulnerable populations. And so in replacement of several years, 5 years in a row of cuts in elder housing and in disabled housing, in tenant- and project-based assistance in our PHA's major programs, we didn't always allow the cuts that the administration had applied and had requested, and we usually, in fact, didn't do that because people in here are concerned about what's going on in the matter of people's lives. However, the cuts were made.

And I would like to just point out that if you go back to the year 2001 and use a 1 percent, a 1 percent per year inflationary factor to each of those housing program investments that we would make, that would bring you to a point $1.5 billion above where the present legislation proposes in this bill.

So what I'm saying there is that an across-the-board cut of the sort that has been suggested by the gentlewoman from Tennessee simply cuts those places that we particularly wanted to put money into in order to fill the gap that has been growing over a period of years, and it's the wrong thing to do.

It would hurt our elders. It would hurt our people who are in affordable housing in either the tenant- or the project-based systems. It would cut Hope VI. It would cut the program for housing for people with AIDS, the elder and disabled housing and CDBG. All of those were programs that were deliberately reduced year after year or recommendations made for a reduction, and, in fact, over time had been reduced substantially compared with the '01 appropriation.

So this has particularly bad effects on those programs, particularly the housing programs that have been well-funded in the bill that we have before us.

I reserve the balance of my time.

Mrs. BLACKBURN. Mr. Chairman, I will simply point out that we have to realize that this is taxpayer money, not government money, and what we are hearing from the taxpayers of this great Nation is that spending is out of control. A $1 trillion deficit is too much. A Federal debt that is at record levels is too much spending. And taxpayers are telling us they are tired of us spending money on programs they don't want. And it's, as one of my constituents has said, that we are spending money she hasn't made on programs that she doesn't want. And they are right to speak out to us about this.

I will also point out that our States, which function under balanced budget amendments, are great labs of experimentation in State budgeting. Our States make across-the-board cuts. In making an across-the-board cut in this appropriations bill, you would still have 11 percent growth in these programs. And that is significant because in the last 3 years, as I said, this funding has increased 146 percent.

You have programs in this bill that received 62 billion additional dollars through the stimulus, and a 5 percent cut would save the American taxpayer $3.44 billion. That would be the savings that is there.

We all know as we budget at the Federal level we use baseline budgeting, and a good thing about making across-the-board cuts is that it helps reset that baseline. And what we have seen with our Federal budget, as we have had the additional spending with our stimulus, with these additional appropriations, is those numbers are rising. And yes, indeed, the taxpayers are reminding us they are going through the roof and they are tired of that. They want the spending, the out-of-control spending to stop.

Every year, taxpayers sit down and they write out their check to Uncle Sam, and when they send that check in, they know they're delaying their priorities.

I urge support of the amendment.

Mr. OLVER. I would just reiterate that while I'm not in favor of cutting the bill that we have put forward, I think it is a good bill, that this is by far the worst way that you could possibly do that, and I would urge the defeat of the amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Chair announced that the noes appeared to have it.

Mrs. BLACKBURN. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

PART A AMENDMENT NO. 9 OFFERED BY MR. BURTON OF INDIANA

The CHAIR. It is now in order to consider amendment No. 9 printed in part A of House Report 111–219.

Mr. BURTON of Indiana. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 9 offered by Mr. BURTON of Indiana:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used by Amtrak to provide free alcohol.

The CHAIR. Pursuant to House Resolution 669, the gentleman from Indiana (Mr. BURTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. BURTON of Indiana. Well, first of all, I want to thank the Rules Committee for making this amendment in order, and I don't think it's controversial. I hope my colleague agrees with that.

Back in the summer of 2007, Amtrak was trying to get more passengers on their luxury line, and so they decided that they would give people a $100 coupon to get free alcohol on the trip. It was a way to try to encourage ridership. Well, unfortunately, that didn't work, and 1 year later the GrandLuxe line on Amtrak shut down, and they no longer have used the $100 incentive by giving people $100 worth of alcohol to ride the train.

And so what my amendment does is—very simply says that that will not be included in any future Amtrak legislation, that we will no longer be giving free alcohol as an incentive for people to ride the train. And I might add, with all of the rail accidents we've had recently, it's probably a darn good idea.

I reserve the balance of my time.

Mr. OLVER. I claim the time in opposition, though I am not opposed to it and I will not oppose it.

The CHAIR. Without objection, the gentleman from Massachusetts is recognized for 5 minutes.

There was no objection.

Mr. LATHAM. Does the gentleman yield?

Mr. OLVER. I will yield.

Mr. LATHAM. I rise in support of the amendment also.

Mr. BURTON of Indiana. Well, thank you very much.

You know, I learned one thing a long time ago, Mr. Chairman. When you've got everything going the right way, you shut up. So with that, I yield back the balance of my time.

Mr. OLVER. I yield back.

The CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. BURTON).

The amendment was agreed to.

PART A AMENDMENT NO. 10 OFFERED BY MR. JORDAN OF OHIO

The CHAIR. It is now in order to consider amendment No. 10 printed in part A of House Report 111–219.

Mr. JORDAN of Ohio. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 10 offered by Mr. JORDAN of Ohio:

At the end of the bill (before the short title), insert the following:

SEC. ____. Appropriations made in this Act are hereby reduced in the amount of $20,050,000,000.

The CHAIR. Pursuant to House Resolution 669, the gentleman from Ohio (Mr. JORDAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. JORDAN of Ohio. Mr. Chairman, let me first say I appreciate the work of the chairman and our ranking member. But what I also appreciate is the fact that last week, for the first time in American history, our deficit reached $1 trillion, and we are not through the fiscal year yet, and some estimate that this could go as high as $2 trillion. So what I bring before the body today is a very straightforward amendment.

It says let's take that first step in trying to get our fiscal house in order. Let's take that, what I will call, modest first step. Let's go back to where we were just 9½ months ago, before the stimulus, before the omnibus, before all this ridiculous spending got ahold of Congress. Let's go back to where we were just 9½ months ago and let's live on that amount of money in this appropriation bill. After all, there are all kinds of families, all kind of small business owners, all kinds of American taxpayers who are doing just that.

□ 1500

Now, just like in the amendment a little while ago that my colleague from Tennessee offered, I am sure that the gentleman from Massachusetts will be opposed to this one, and will stand up and say, Well, we can't have this cut.

Again, remember, this is not a cut. This is taking us back to where we were less than a year ago before we had done the stimulus and the omnibus spending. As I indicated, it is exactly where a lot of families—and maybe more importantly—a lot of small business owners are functioning right now.

Mr. Chairman, I would reserve the balance of my time.

Mr. OLVER. Mr. Chairman, I claim time in opposition.

The CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Well, it sounds so simple, only 9½ months ago, but in fact, of course, the funding level that has been proposed here would take this bill back to the appropriated level for the fiscal year 2008. We're talking about the year 2010. We're talking about a year starting several months from now and going forward a year, and he's talking about 9½ months ago being the end of that fiscal year, the end of the 2008 fiscal year, and that was funding the year prior to that. So it is really taking a step backward 2 years in the funding level.

As everybody knows, while we have had a bad economy, the inflation level has stayed relatively low—that's true—but this kind of a funding level, taking $20 billion out of this appropriation, then has the effect of cutting a huge number of programs by an average of 16 percent for the next fiscal year. It is an unsustainable number for the kinds of efforts that one needs to have in housing. As I've indicated, for housing, there is growth in this. I agree there is growth in this bill.

On the transportation side, the major point of growth is in the high-speed rail program. The high-speed rail program is putting forward money that actually will extend out over a series of years. It doesn't all happen in the first year by any means at all. We all know that. It creates jobs over a period of time in the building of that infrastructure.

In the case of housing, again, if one tries to cut the housing programs, it will be particularly bad for vulnerable populations, and we should not do that.

I oppose the amendment, and I reserve the balance of my time.

Mr. JORDAN of Ohio. Mr. Chairman, I would just ask the question: How bad does it have to get? Do we have to get to a $2 trillion deficit? Do we have to get to a $3 trillion deficit? How bad does it have to get before we can simply say this: Let's just hold the line. Let's just quit making the problem worse. How bad does it have to get before we can do something that every single family has had to do at some point in their lives and that every single small business owner has had to do at some point? How bad does it have to get before we can take the first step—again, that modest first step?

Think about where we're heading. Over the next 10 years, with the pace of spending we're at right now, the Federal debt is going to go to $23 trillion. Now think about what it takes to pay that off. You first have to balance the budget. Then you have to run a $1 trillion surplus for 23 straight years, and that doesn't even count the interest, which is now approaching $1 billion a day.

I offered a balanced budget. A few months ago, we voted on the budget, which sets the context for this. I offered a balanced budget, and we reviewed it. Our budget didn't balance until the last year, until the 10th year of the budget window. We didn't balance until the last year, and we were viewed as the radicals.

I go back home and talk to folks. In my district, they look at me, and they say, JORDAN, you big sissy. Balance it in 4 or 5 years. What are you doing taking 10 years? That's the perspective the American people have. Yet, here in Washington, we continue to spend and spend and spend, and we can't even take that simple, modest first step of saying, You know what? Let's just live on what we were living on 9 months ago. Let's start to get our fiscal house in order. Let's start to do what the American people have to do all the time. That's all this amendment does.

Mr. Chairman, I would yield back the balance of my time, and I would urge a ''yes'' vote.

Mr. OLVER. There is no direction in the amendment, itself. It merely says cut the total expenditure by $20 billion, which is one-sixth of the sum total of the legislation. All I can do is say, if one were to do that by one-sixth of the appropriation for affordable housing, for our tenant- and project-based systems, we would be putting out 400,000 families. Yes, it's bad, but it's those low-income families who are probably in the worst shape and in the most needy shape of all. I'm not sure that we want to do that. I certainly don't want to see that happen, and I hope the majority will not want to see that happen.

Let me just close by urging a ''no'' vote on this amendment. It is a slash-and-burn kind of an amendment.

The CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. JORDAN).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. JORDAN of Ohio. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

PART A AMENDMENT NO. 11 OFFERED BY MR. NEUGEBAUER

The CHAIR. It is now in order to consider amendment No. 11 printed in part A of House Report 111–219.

Mr. NEUGEBAUER. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 11 offered by Mr. NEUGEBAUER:

At the end of the bill (before the short title), insert the following:

TITLE IV

ADDITIONAL GENERAL PROVISIONS

SEC. 414. Appropriations made in this Act are hereby reduced in the amount of $13,553,000,000.

The CHAIR. Pursuant to House Resolution 669, the gentleman from Texas (Mr. NEUGEBAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. NEUGEBAUER. Mr. Chairman, I rise today on a simple mission: to help get some of the taxpayers' money back.

We passed an historic spending bill back in February, saddling our children and our grandchildren with mountains of debt. We were told that these funds would go towards projects that were targeted, temporary and, most importantly, timely—referred to as ''shovel-ready.'' Well, guess what, Mr. Chairman?

According to the White House's own Web site, recovery.gov, just 11 projects have been awarded by the Department of Transportation so far. Just 11 projects. So we rushed out to spend $20-plus billion. We were told we can't wait until we get through the normal appropriations process. We've got to go spend this money right now so we can get it out and so we can create the jobs. Let me tell you how reliable this recovery.gov is.

Just this week, a military installation in my district was featured on the Drudge Report for what appeared to be excessive amounts of stimulus spending. It turns out that an error was, in fact, made by—you guessed it, Mr. Chairman—the operators of recovery.gov. They couldn't even enter a contract award correctly onto the Web site, which is supposed to be the model of government transparency. This is just one more example of how flawed this recovery process has been.

One of the things that astounds me is that we said we had to go out and spend all of this money and that it was going to create jobs. Well, the question is: Where are the jobs, Mr. Chairman? What we've seen since we passed this recovery package is that people have lost their jobs. Today, 14 million people are out of work; 9.5 percent of Americans don't have jobs. Do you know what we're helping them do now? We're saying, You know what? We know you don't have a job, and we know you're having a hard time getting by. Do you know what we're going to do? We're going to pile up mounds and mounds and mounds of debt so that your children and grandchildren will have to work 25 hours a day just to pay the debt.

Mr. Chairman, what this simple amendment does is say, You know what? We were wrong. We thought we could spend this $21 billion. We needed to get it out immediately. We found out we can't, so we're going to give part of that money back. We're going to give $13 billion of it back.

Let me tell you the logic of what this bill does today. We said we had to rush to get this $21 billion spent. What we're saying and what we know is that now 13 projects and less than $1 billion of contracts have been awarded. Do you know what we're going to reward the government to do? We're going to say, Y'all did such a bad job of not spending the $21 billion we gave you back in the spring that we're going to reward you. We're going to give you another $21 billion of the taxpayers' money. By the way, Mr. Chairman, it's $21 billion we don't have. It's $21 billion we don't have.

So what we're going to have to do is not only give them another $21 billion, but we're going to have to borrow $21 billion from China or from Japan or from some other country. It just doesn't make sense to keep going down this path. Mr. Chairman, we have to stop that.

I reserve the balance of my time.

Mr. OLVER. I claim time in opposition.

The CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, this amendment is $13 billion. Therefore, compared with what I call ''slash and burn,'' this is slash and burn a little bit less than the previous one. Generally, there is no direction as to how one might do it, and I'm left with the question of what kinds of impacts this one might have.

I would point out that it would have an impact of now, not the 16 percent but only an 11 or 12 percent cut—roughly 11, I guess it would be—on all of our transit programs, on the public transportation programs that we fund and that move people around in as efficient a way as they possibly can. It would have a similar effect on all of our air traffic safety programs, on all of the efforts that we have to make in order to have our airports and our air traffic controller systems function appropriately. All of those things come from this kind of an amendment. This would take us back to a freeze of the '09 levels, not the '08 levels, which was the previous one, but it would be a freeze at the '09 levels.

I oppose the amendment. I urge defeat of the amendment.

I reserve the balance of my time.

Mr. NEUGEBAUER. I dare to disagree with the gentleman. What we're stopping from happening here is what we call in Texas ''double dipping,'' because we gave them $21 billion from some of these same programs less than 6 months ago. They've only spent 11 percent of it, so I don't think we're cutting anything.

What we're saying is we're going to cut out the monkey business here. We're not going to allow them to double dip, and we're going to give that money back to the American people, Mr. Chairman. They're not even going to spend this $21 billion probably in the next fiscal year. They've spent only 11 percent since the inception of this bill. So we're not cutting anything. We're just saying, Hey, you're having trouble spending the first $21 billion. We'd like this $21 billion back. If you want to bring it back in another appropriations bill, we'll allow you to do that, but the problem is that we are accumulating this huge debt. Our national debt is at $11.7 trillion. That's $37,000 for every American in this country.

In just a few months, I'm going to have my third grandchild. Do you know what? I'm going to give that child a present or, I guess, the government is going to give that child a present. I'm going to write a letter and say, Your granddaddy was here to inform you that, on your birthday, you owe $37,000 right out of the chute.

The American people are fed up with it. They want their money back. We cannot allow these government agencies to double dip. They're not spending the American taxpayers' money wisely. They're not creating jobs, and they're sick and tired of it. They're fed up. If you really want to make a mark in this Congress, vote for this amendment, and give the American people their money back.

With that, I yield back the balance of my time.

Mr. OLVER. Mr. Chairman, the gentleman has just made an argument and continues to make an argument about the level of debt.

In 1980, when President Carter left office, the national debt of the country was about $1 trillion. Twelve years later, the debt of the country had reached $4 trillion. It had quadrupled. It had quadrupled in those 12 years. In the following 8 years, the debt went up again by another $1.4 trillion, so that at the end of President Clinton's term, the debt had gone up about one-third more, just slightly more than one-third more. Then during the Presidency of the previous President, we saw the debt go from $5.4 trillion to $10.5 trillion as he left office. Then it went up almost double in just an 8-year period.

Now there is concern since we have been in a recession for more than a year now, the first five quarters of which were clearly in the previous administration with the housing crisis, a deep recession with severe losses of jobs throughout the last year. They're continuing. This is a deep recession, but this is not a time to be cutting our most vulnerable people through this sort of action. This action is the wrong action to take. We will grow out of this over time. I urge defeat of the amendment.

□ 1515

I yield back my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. NEUGEBAUER).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. NEUGEBAUER. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the

amendment offered by the gentleman from Texas will be postponed.

PART A AMENDMENT NO. 12 OFFERED BY MR. STEARNS

The CHAIR. It is now in order to consider amendment No. 12 printed in part A of House Report 111–219.

Mr. STEARNS. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 12 offered by Mr. STEARNS:

At the end of the bill (before the short title) insert the following:

SEC. ____. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 25 percent.

The CHAIR. Pursuant to House Resolution 669, the gentleman from Florida (Mr. STEARNS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. STEARNS. Mr. Chairman, my amendment is a little bit like Mr. NEUGEBAUER's, pretty much straightforward. It freezes the transportation spending in the Transportation-HUD appropriations bill just simply at last year's level. Obviously with the economy contracting and unemployment rising, it's not responsible to drastically increase spending by almost $14 billion, and this represents a 25 percent increase over our current levels. This funding obviously does not even include the $62 billion that came from the stimulus act.

So if the stimulus act funding is taken into account, even with the 25 percent reduction that I am proposing, funding for the Department of Transportation and the Department of Housing and Urban Development would receive an increase of $48 billion over last year. And that's, of course, with the stimulus package.

So think about this. You have this bill. You have the stimulus package, which adds additional money. So in a sense we're asking just to freeze the spending level at 2009-fiscal year level.

You know, when you take a look at all the appropriations spending combined, funding for programs within this bill will have increased 146 percent since the Democrats took over in the year 2007. This level of spending is simply unsustainable in the light of the Nation's growing deficits and the debt.

Now, there's a lot of good programs in this bill that I strongly support, but increasing all these programs by 25 percent at a time when we're drowning in debt and experiencing the worst economic crisis in decades is simply unwise. For example, discretionary spending for the Department of Transportation is increased by $4.5 billion, or 27 percent, including a 25 percent increase for the Office of the Secretary and a whopping 1,384 percent increase for the Federal Railroad Administration.

The Department of Housing and Urban Development also receives an increase of $1.6 billion, or 3 percent, in discretionary spending, including a 100 percent funding increase for the HOPE VI program. The HOPE VI program, President Obama proposed that program to eliminate it.

So approving this huge increase without doing anything about the budget disaster looming on the horizon obviously is only going to magnify the problems for this country. Families across my congressional district and across the country are having trouble. They are tightening their belts during this tough economic time. They don't have the luxury of an unlimited government credit card that allows them to simply throw borrowed money at every single problem they face. Instead, they have to set priorities and make tough spending decisions.

So I don't think it is too much to ask Congress to do the same thing, and I say to my colleagues on that side, are your constituents getting a 25 percent increase over the last year? I don't think so.

This Congress and President Obama continue to ignore the fact that this reckless spending will bury our children and our grandchildren under a mountain of debt. In fact, in a recent report, the nonpartisan Congressional Budget Office warned that excessive spending proposed by this administration and the Democrat leadership in Congress such as contained in this bill, as a good example, will drive the Department-to-GDP ratio from 41 percent to a staggering 71 percent. You know, we're just doubling the national debt in 5 years. So we must hold the line, attempt to hold the line on spending and make sound budget choices that are sustainable and that do not rely on continued deficits and borrowing.

Obviously, there's plenty of blame to go around, but here at this point we have an opportunity to stand up. We have a lot of work to do. I think this is a good amendment. I think we should start forward by simply passing my amendment, by saying that we should hold the line here and keep the spending under control.

I urge my colleagues to support this.

I reserve the balance of my time.

Mr. OLVER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. I thank the gentleman for his amendment. The gentleman's amendment is actually slash-and-burn sort of squared, essentially, because it puts the whole pressure of the reduction—it's not as large a dollar reduction—but it is all focused deliberately and directly upon discretionary expenditure.

And of course, when the gentleman points out that he is strongly in favor of a lot of the programs here, I'm sure that there are a few of those programs that are discretionary programs, perhaps not all of them, though I suspect that there are a fair number of programs that he doesn't particularly like and that are mandatory programs as well.

So, again, we have here a very large cut in the budget that is proposed by taking 25 percent out of the discretionary programs, and the arguments would only be repetitious, and I don't mean to take people's time.

I reserve the balance of my time.

Mr. STEARNS. Mr. Chairman, how much time do I have?

The CHAIR. The gentleman from Florida has 1 minute.

Mr. STEARNS. I would say to my colleague from western Massachusetts, the beautiful country up there, you have in this bill, there's a 25 percent increase for the Office of Secretary.

I would ask my colleagues, are his constituents getting a 25 percent raise in western Massachusetts, you know, running from Springfield up to Deerfield across from Hatfield over to Amherst. I don't think they're getting a 25 percent increase.

And if you look at the Federal Railroad Administration, it has a whopping 1,384 percent increase. So I would ask my colleague to address those two questions. Does he support a 25 percent increase for the Office of Secretary, and does he support a whopping 1,384 percent increase for the Federal Railroad Administration?

I reserve the balance of my time.

Mr. OLVER. We have in this legislation and in the Recovery Act earlier this year, we have added enormous additional responsibilities to both the Secretary of Transportation, our good former colleague, very popular former colleague, now-Secretary Ray LaHood, in order to administer those properly and do what they are told to do under the Recovery Act, to get all of those moneys out and moving. For instance, they have gotten some 300 applications thereabouts for the high-speed rail moneys, the high-speed rail and inner city passenger rail programs. You've got to have people to look at those programs, to assess them, to decide which ones are the better ones, to move the paperwork so that we will be able to actually have those projects out where they're going to get people to work as quickly as it's possible to do.

And the same thing is true for the Federal Rail Administration. The Secretary's office has certain key responsibilities added to his. It is not nearly as much as the increase of responsibilities that has been given to the Federal Rail Administration, which is really where the first monitoring and the first assessment and grading of all of the projects that have come in is. It's an enormous program that is there, but it is part of what was expected to have to happen in order to make the high-speed rail and inner city passenger rail programs work.

So I have no apology whatsoever for additional administrative assistance for making those things happen. If we

hadn't done that, we would have been killing the programs before they even could even get started, and that was not the purpose of the American Recovery Act in the first place.

And again, I reserve the balance of my time.

Mr. STEARNS. Mr. Chairman, I think the gentleman hasn't answered the question: Why a 1,384 percent increase for the Federal Railroad Administration?

Another question he hasn't answered is, why is he increasing 100 percent funding for the HOPE VI program, which the President of the United States, your President, said he proposed to eliminate?

I reserve the balance of my time.

The CHAIR. The gentleman's time has expired.

Mr. OLVER. How much time do I have?

The CHAIR. The gentleman from Massachusetts has 1½ minutes.

Mr. OLVER. Well, I will simply say on that one that the President actually proposed a totally new program which had not been authorized at the $250 million level. We, instead, decided because it was not authorized that we would leave it to authorization, and it was somewhat similar. It was in some ways an expansion of the HOPE VI program and alteration of the HOPE VI program, he would say quite significant alteration of that program, for a $250 million program.

Instead, we put that money that he had requested into the HOPE VI, which we had in this Chamber, perhaps without the gentleman's vote, we had reauthorized last fall but hadn't been acted upon by the Senate. It will be, again, acted upon by the House later this year, and there will be a reauthorization, I would guess, within this year for the HOPE VI program, and that's where the money has been placed.

I yield back my time.

The CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. STEARNS).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. STEARNS. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

PART A AMENDMENT NO. 13 OFFERED BY MR. TURNER

The CHAIR. It is now in order to consider amendment No. 13 printed in part A of House Report 111–219.

Mr. TURNER. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 13 offered by Mr. TURNER:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to establish, issue, implement, adminster, or enforce any prohibition or restriction on the establishment or effectiveness of any occupancy preference for veterans in supportive housing for the elderly that (1) is provided assistance by the Department of Housing and Urban Development, and (2)(A) is or would be located on property of the Department of Veterans Affairs, or (B) is subject to an enhanced use lease with the Department of Veterans Affairs.

The CHAIR. Pursuant to House Resolution 669, the gentleman from Ohio (Mr. TURNER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. TURNER. Mr. Chairman, this amendment is a pro-veteran amendment that would prohibit HUD funds from going toward enforcing regulations against a veteran's preference in HUD financing or HUD-financed housing that is built on a VA campus or is using a VA-enhanced use lease.

This issue came to light in the Third District of Ohio because of a conflict between HUD rules and regulations and VA rules and regulations. In Dayton, Ohio, the St. Mary's Neighborhood Development Corporation has been attempting for several years to construct senior housing on the campus of the Dayton VA Medical Center.

St. Mary's was able to obtain an enhanced-use lease from the VA to construct the housing on the Dayton VA campus. They were also able to obtain HUD section 202 funding that would allow for the financing of the construction for low-income senior housing. So we have VA providing the land and HUD providing funding, both VA and HUD agreeing that this would be an excellent project to help us respond to homeless veterans, to provide low-income housing for veterans, and also to respond to the needs of seniors in the community.

However, HUD has previously asserted that St. Mary's may not be able to use these critical dollars if the VA lease requires a specific preference for veterans to occupy the proposed facility on the VA grounds. HUD has prohibited a preference given to veterans housing in this facility on the Dayton VA campus. The VA rules and regulations require that the VA assert and request a preference for that housing to be built on their campus.

This amendment seeks to solve this issue by prohibiting funds in the bill to allow HUD to enforce their restriction against a preference for veterans. This is good for seniors, and this is good for veterans.

I reserve the balance of my time.

□ 1530

Mr. OLVER. Mr. Chairman, I claim time in opposition, though I am not opposed.

The CHAIR. Without objection, the gentleman from Massachusetts is recognized for 5 minutes.

There was no objection.

Mr. LATHAM. Would the gentleman yield?

Mr. OLVER. I would yield to the gentleman.

Mr. LATHAM. I certainly would support the gentleman's amendment also.

Mr. TURNER. I appreciate their support.

I'm happy to yield back the balance of my time.

Mr. OLVER. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. TURNER).

The amendment was agreed to.

PART A AMENDMENT NO. 14 OFFERED BY MR. RANGEL

The CHAIR. It is now in order to consider amendment No. 14 printed in part A of House Report 111–219.

Mr. RANGEL. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 14 offered by Mr. RANGEL:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to implement or enforce the requirement under section 12(c) of the United States Housing Act of 1937 (42 U.S.C. 1437j(c); relating to community service).

The CHAIR. Pursuant to House Resolution 669, the gentleman from New York (Mr. RANGEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. RANGEL. Mr. Chairman, I'm joined in this amendment by Mr. FRANK of Massachusetts, Ms. WATERS of California, Mr. WATT of North Carolina; and what it actually does is to prohibit the implementation of the Public Housing Community Service requirement that those people who live in public housing are required to put in a certain number of community service hours.

Nowhere do we have where people who find themselves in public housing have to be mandated to do certain hours of volunteer work. Indeed, there's no funds available to enforce this mandate.

The housing authority in the city of New York and other housing authorities around the country think this is a worthless addition and vindictive that is put into the bill.

It does not require section 8 and other people who are recipients of public housing to do this. We have been successful in having it delayed. It should be repealed. We just have not got around to reviewing the entire legislation.

It's not effective. It's not working. It's really an insult to people who donated so much to their country and their community who find themselves in need of housing subsidy, to be mandated, more or less, to provide public service when those people who are able to do volunteer work are doing it anyway.

So I reserve the balance of my time.

Mr. LATHAM. Mr. Chairman, I claim time in opposition.

The CHAIR. The gentleman from Iowa is recognized for 5 minutes.

Mr. LATHAM. The purpose of the service commitment was sound at the time, and it still is. Residents were asked to participate in making their community better, improve the social interaction, and provide services for their communities including day care, education, after-school monitoring, and facility management.

No one that is unable to participate is penalized, whether elderly, students, working parents, or any other of a long list of exemptions that are allowable under the law.

The intent is not to make people work for their money. It's to ensure that those who live in the community participate in keeping it safe, sanitary, affordable, and a vibrant community. This is what we ask of ourselves and our neighbors.

For those who do participate, flexibility is the centerpiece of the requirement. Residents have great flexibility over what service is provided and when it's provided. Every attempt is made to ensure that the services of the parent can be made to benefit the children or the elderly citizens living in the authority.

Keep in mind, we're only talking about 8 hours a month. Eight hours a month. This is not a hardship.

It has provided a great benefit to each housing authority where it's been actively implemented. If this requirement is removed, those services will be lost because every indication from the housing authority leadership indicates that there are no funds to replace the services now being provided by those residents.

One of the arguments I've heard is that it's hard on the PHAs to administer the program. This is just ridiculous. Authorities receive millions in Federal funds each year to administer Federal requirements, and if the service is lost, I don't see anyone proposing to reduce the administrative funds provided in this bill. PHAs receive funds for federally required activities, and they should use them for those purposes.

Frankly, I think it's a requirement that should stay in place and is no more than what we all require of ourselves and our communities. When I go home it would be pretty hard to explain to my voters that 8 hours a month is just too great a burden to ask in order to ensure that their investment in the well being of the people and property is sustained.

I reserve the balance of my time.

Mr. RANGEL. How much time do I have remaining?

The CHAIR. The gentleman has 3½ minutes remaining.

Mr. RANGEL. I yield 1 minute to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. I thank the chairman of the Ways and Means Committee for his leadership on this issue, which has been sustained.

The question is not whether or not we should be working to see that public housing residents require the skills, et cetera, that will help them, but how to do it.

The community service requirement is a slapdash, honored in the breach. It's a mandate resisted and resented by the people who have to administer it. We have in the bill that we voted out of committee today by a large vote, bipartisan vote, the reform of the voucher system, which both the public housing and for vouchers includes the Moving to Work program, which is a sophisticated and balanced way to do this and provides funding for it.

Those who administer public housing want to do that. They want to help people do this. But imposing on them the requirement to do work, imposing on people who are already underfunded the obligation to mandate whether every public housing resident is doing 8 hours of leaf raking and snow shoveling doesn't help anybody. It advances nothing. And it gets in the way of efficient administration.

We will do this the right way. And this is the wrong way, according to everyone who has been involved in a serious way with it.

Mr. LATHAM. I would yield 2 minutes to the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. I thank the chairman and I thank Mr. LATHAM for yielding. I rise in opposition to this amendment. I was glad to hear the chairman of the full Financial Services Committee address this issue, because I was on that committee for 12 years. We've had this debate, and it's lasted hours and hours and hours.

And I will just indicate I'm glad he's moving new legislation, but I would note that two of the cosponsors of this amendment, the full committee chairman and the subcommittee chairman in charge of this particular issue, and if there's a problem with the service requirement, I hope they're going to fix it. He said he has.

Secondly, on March 31 of this year, we passed the Edward M. Kennedy Serve America Act, H.R. 1388. The President believes in community service. I assume anybody that voted for the act believes in community service. I know I did. And we are going to encourage community service.

As Mr. LATHAM indicated, this is 2 hours a week, 8 hours a month. I would accept the argument that some have made on the other side that this is taking a slap at people who are in a position to require public assistance for housing; but I would suggest that when we are just bailing everybody out, when we give billions of dollars to people on Wall Street, over my objection, for horrible business decisions in the subprime market and the securitization of mortgages, when we have given billions of dollars to car executives, automobile executives who have not reformed their business practices in 30 years and now find themselves to be bankrupt, when we have bailed out people that purchased homes they had no business purchasing because they could never afford it based upon their means, I would suggest we go in the direction not of removing this requirement, but let's put community service on the Wall Street bankers.

Let's put it on the guys that run General Motors and Chrysler. Let's put it on the people that have purchased homes and have thrust this Nation into debt.

Mr. FRANK of Massachusetts. Would the gentleman yield?

Mr. LATOURETTE. I'm happy to yield.

Mr. FRANK of Massachusetts. I must have misplaced the bill. Should I look for a number that I hadn't seen? If the gentleman wants to do it, why haven't you?

Mr. LATOURETTE. I appreciate the gentleman's question. I would just say since the majority resumed this 111th Congress, almost every rule that's come to the floor has been closed.

Mr. FRANK. Would the gentleman yield again?

Mr. LATOURETTE. I'd be happy to yield.

Mr. FRANK of Massachusetts. The gentleman offered a resolution to the committee I chair. We passed it out unanimously. The gentleman knows he has always gotten a fair hearing in our committee. But I can't listen to what he doesn't say.

Mr. LATHAM. May I inquire as to how much time remains.

The CHAIR. The gentleman has 30 seconds remaining.

Mr. LATHAM. I would yield 30 seconds to the gentleman from Ohio.

Mr. LATOURETTE. I would just say to the gentleman, I praised the gentleman on the floor for voting that Resolution of Inquiry out 63–0. I would also note that the distinguished majority leader of the House, although you took that action more than 3 weeks ago, has yet to schedule that bill for activity on the floor.

Mr. FRANK of Massachusetts. Would the gentleman yield? He wouldn't be in charge of the other one. You and I can work it out. So come to me about Wall Street and we'll make a deal.

Mr. RANGEL. I yield 1 minute to the gentleman from Massachusetts (Mr. CAPUANO).

Mr. CAPUANO. Mr. Chairman, this isn't about community service. Community service is something you do voluntarily, something you sign up for. Indentured servitude is when you are told this is what you will do because you are getting something from the government.

Now, if that's what you want to do, that's fine with me. I like the idea of Wall Street people doing it. I also like the idea of little children who are getting free lunches, let's get them to work. And don't forget the senior citizens in senior housing. Let's get them

to work. They can do a lot. And let's not forget the farmers who get agricultural subsidies to the tune of hundreds of thousands dollars. Let's get them to work.

Not ask them, not encourage them. Let's demand it. And let's do it on the basis of how much they earn. Because my guess is if you're talking about poor people in public housing—first of all, I wouldn't vote for 8 hours a month, 8 hours a year, or 8 minutes in a year. It's indentured servitude no matter how you slice it.

Now, I know early America was built on the back of indentured servitude. I know that. Most of the ancestors of the people in room were indentured. At one time in this country, about two-thirds of the people in America were.

It's wrong. We stopped it. We can't let it go on today.

Mr. RANGEL. Mr. Speaker, I say this to my Republican friends that I sincerely wish we had a better balance of parties in this House and in this country. I sincerely wish that the things that we were debating would not be the rich against the poor, but it would be what we could do collectively to make this a stronger country, better educated, better health care, things that we can do to secure us.

It would seem to me that when issues like this come up, that America—you can bet your life—that the minority party, if it concerns the poor, if it concerns people that need some help, if it concerns health, if it concerns education, we can almost depend that they would be walking lock-stock in opposition.

Some of the reasons that they give would appear to be meritorious. But why is it that we always find the opposing party wanting to penalize, wanting to punish, and wanting to show that they have no compassion for those Americans who are less fortunate than themselves?

I do hope that we can find some middle ground, not just to punish the Wall Street activists, which clearly that's rhetorical; but that we can find some way that we can offer something so that the Republican Party would be able to get rid of this terrible stigma they have somehow thrust on them, that if it means compassion, if it means energy, if it means giving a hand out and a hand up, that we can depend on their support.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. RANGEL).

The amendment was agreed to.

The CHAIR. It is now in order to consider amendments printed in part B of House Report 111–219.

PART B AMENDMENT NO. 1 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk designated as No. 1 in part B.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 1 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds in this Act under the heading ''Federal Aviation Administration—Grants-in-Aid for Airports'' shall be available for the Terminal Replacement project at Grand Forks International Airport in Grand Forks, North Dakota, and the amount in the first proviso under such heading is hereby reduced by $500,000.

The CHAIR. Pursuant to House Resolution 669, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. This amendment would prohibit $500,000 from going to the Grand Forks International Airport in Grand Forks, North Dakota, and would reduce the overall cost of the bill by a commensurate amount.

This is money going to an airport terminal. Yet we're told that the funds that are being earmarked from this Airport Improvement Program account of the bill, this is a widely used competitive grant program that others can apply for grants from. The Competitive Grant Program stipulates later that the funds can't generally be used for terminals or terminal improvements.

So the biggest question here, I guess, is why in the world we're designating money from this account that is an account for competitive grants to be received by applicants, why we're designating it as an earmark to an airport terminal that typically falls outside of the purview of the funds in this account.

I hope the sponsor can illuminate on that subject.

And I reserve the balance of my time.

□ 1545

Mr. POMEROY. Mr. Chair, I rise to claim time in opposition to the amendment.

The CHAIR. The gentleman from North Dakota is recognized for 5 minutes.

Mr. POMEROY. I salute my colleague Mr. FLAKE for, once again, his vigor in trying to raise questions relative to spending. Certainly, these are public assets we're talking about, and it's a fine thing to have a discussion in the full light of day here in the House of Representatives for each and every line item, including a $500,000 issue that has been raised relative to the Grand Forks airport terminal. I, as a Representative of Grand Forks, am proud to give the details relative to what is an extremely important project for North Dakota.

Airport improvement moneys in North Dakota typically run through the North Dakota Aeronautics Commission. I would submit into the RECORD a letter from the North Dakota Aeronautics Commission relative to their support of this project as the first priority.

Mr. FLAKE has raised the question in terms of whether airport improvement money raised is used for terminals. Most of it isn't, some of it is. I have a chart here that shows about 12 percent, nearly 13 percent is used for terminals, and I would wager that nearly every Member of the Chamber has some evidence of airport improvement grant money being used for terminals.

Now, why would it be used for terminals when principally its direction is elsewhere? Because each of us is encountering, in our districts, situations where the terminals, frankly, get beyond repair and must be attended to on a priority basis for the needs of the general public. The conditions of this airport are truly, deeply problematic. They involve issues of safety.

Under the present layout of the airport terminal relative to the tower, a line of sight is actually blocked by virtue of how they're forced to use the terminal. Believe it or not, the Grand Forks International Airport is the 22nd busiest airport in the country. You might think, How can that possibly be? Well, we're proud to host the University of North Dakota pilot training programs under the John Odegard School, one of the truly elite university-based pilot training programs in the country, with enrollment well over 1,000 students. They place a tremendous traffic burden on what would otherwise be a small airport facility.

So safety issues really matter, especially considering the fact that you have got a lot of inexperienced pilots doing their training at this particular facility.

We have issues of public safety. Severe inundation of basement areas resulting in everything from mold to threatened mechanical equipment, sump pumps running around the clock. Again, for a fairly substantial major facility, these are pitiful problems for a facility that desperately need to be addressed.

We have security issues by the TSA screening equipment linked to equipment in this basement area. We have ADA code deficiencies. One might ask, Well, is there a cheaper thing you can do than build a new terminal? A major renovation triggers addressing all of the ADA deficiencies in the building. That involves a massive amount of money.

The Aeronautics Commission, the experts in North Dakota on this, believed it was essential to address in this fashion. Passenger load this year up 11 percent over '08. It is an airport that continues to grow. It is a facility that needs to be done.

So I thank Mr. FLAKE, my friend, for giving me the chance to explain these aspects of it. I stand here prepared to answer any questions the gentleman may have.

NORTH DAKOTA AERONAUTIC COMMISSION,
Bismarck, ND, Apr. 3, 2009.

Congressman EARL POMEROY,
U.S. Senate,
Washington, DC.

DEAR HONORABLE CONGRESSMAN POMEROY: The North Dakota Aeronautics Commission has reviewed the 2010 FAA Airports Improvement Program. In priority order, we ask that

the following airports be given strong consideration of FAA's Discretionary Grants:

1. Grand Forks International Airport—Construct a two level air passenger terminal capable of boarding jet and regional aircraft. The building is designed for energy efficiency, improved circulation of safety and security screening, and future expansion if necessary. Total cost in 2010 is $11,840,632 with FAA share at $9,264,744. The state share is estimated at $500,000 and local share at $791,499.

2. Devils Lake Regional Airport—Construct Runway 13 extension, improve safety area, relocate perimeter road, relocate Rwy 31 ILS system, and construct parallel taxiway. In 2010, the total cost is $6,000,000 with FAA share at $5,700,000. State and local share is $150,000 each.

3. Minot International Airport—Reconstruct Taxiway C and purchase Snow Removal Equipment. In 2010, the total cost is $2,152,631 with FAA share at $2,045,000. The state and local share is $53,816 each.

4. Wahpeton Harry Stern Airport—Reconstruct Runway 15/33, taxiways, apron and lighting system including safety area improvements. In 2010, the total cost is $7,368,421 with FAA share is $7,000,000. The state and local share is $184,421 each.

These projects are ready to be constructed with the FAA 2010 allocations. We appreciate your support of FAA funding for enhancing safety with these proposed improvements at these North Dakota airports.

Sincerely,

MARK HOLZER,
Interim Director.

I reserve the balance of my time.

Mr. FLAKE. I thank the gentleman for the explanation. I hope the reason the airport is so busy is that so many people from North Dakota are coming to Arizona in the wintertime at least, but, unfortunately, they go back in the summertime.

I'm not questioning the need for renovations to the terminal. In the research we did, we found there—they said, The terminal has serious mold problems and other things that are a danger to employees and to travelers. That is not what is the question here.

The question is—and we have this question with virtually every appropriations bill that we now deal with—is that we appropriate money to the various agencies, and we'll instruct them to establish a competitive grant program to distribute the moneys to worthy recipients. Then the folks at home in the municipal airports or States or whatever district they're in will decide that they want to apply for these funds, increasingly over the last couple of decades.

I'm not blaming Democrats. Republicans are just as guilty of this, but we have earmarked those accounts that we have told the agencies to establish. In this particular case, this earmark is taken from an account that is supposed to be competitively offered, and grants are to be awarded on a competitive basis on the basis of merit.

But what happens—and we talked about this a few weeks ago with another big grant program, this one with regard to flood chrome districts in the Homeland Security bill. The problem is the folks at home in all of our districts want to apply for these moneys, and when they apply for these moneys, they find that sometimes half of them or 75 percent or all of the moneys in that account are gone because particular Members, largely on the Appropriations Committee or other powerful Members, have gotten earmarks to take those funds before anybody can apply for them.

Now, I would submit that if we don't like the way the agencies are distributing this money, let's change it. Let's not grant them that money. Let's do it differently. But let's not set up a competitive grant program, an account at an agency, or instruct them to, and then circumvent it ourselves. That, unfortunately, is what we see all too much of, and that's what we have, it seems to me, an example of here.

I reserve the balance of my time.

Mr. POMEROY. The gentleman has stated his case well, but he's shooting at the wrong target this time. I'm not going to stand here and say every dollar in the appropriations process is perfectly directed. Nothing is perfect. I believe that the steps that we have made—certainly to address some of the concerns raised by my friend from Arizona—have helped bring transparency to this process where all this business is conducted in the full light of day.

I've got a problem with the appropriation at issue. It's not nearly big enough. We saw $2 million. We have got $500,000 for a project that is going to cost $22 million.

The CHAIR. The time of the gentleman from North Dakota has expired. The gentleman from Arizona has 1½ minutes remaining.

Mr. FLAKE. I thank the Chair.

Like I said, I don't think the appropriations process—you can never have a perfect process anywhere you go, but I would submit that when you have literally thousands and thousands and thousands of congressional earmarks, many of which are earmarking programs that we have instructed the agencies—earmarking moneys that we've instructed them to establish a competitive grant program for, then we have a problem. If we don't like the way the agencies do it, let's change that. We control it because we control the purse. But let's not run a parallel program that turns into really a spoils system.

With that, I urge adoption of the amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

PART B AMENDMENT NO. 4 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk, designated as No. 4 of part B.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 4 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''Department of Housing and Urban Development—Community Planning and Development—Community Development Fund'' shall be available for the Murphy Theatre building renovation project of the Murphy Theatre Community Center, Inc., in Wilmington, Ohio, and the aggregate amount otherwise provided under such heading (and the portion of such amount specified for Economic Development Initiative grants in the second paragraph under such heading) are each hereby reduced by $250,000.

The CHAIR. Pursuant to House Resolution 669, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. I thank the Chair.

This amendment would prohibit $250,000 in funding for the Murphy Theatre Community Center, Inc. for building renovation, and it would reduce the cost of the bill by a commensurate amount.

According to the sponsor's Web site, funding would go to the complete renovation of the Murphy Theatre. The theater is a focal point of downtown Wilmington, Ohio. It's 90 years old and has been in constant use since it opened. It's now in need of major rehabilitation.

According to the Murphy Theatre Web site, the theater was built by the shrewd Chicago Cubs owner Charles Webb Murphy in 1918, and ''When he built the Murphy, he owned his hometown,'' it says. Mr. Murphy has his name painted on the theater's rear large wall, enough to be seen from the railroad tracks, and when the town druggist questioned the town's financial viability, he was quoted as saying, ''Dan, that's not an investment, that's a monument.'' That sounds like a great theater.

I think many districts and towns across this country have something similar. The question here is, should the Federal taxpayers' moneys, should the taxpayers in the State of Washington or Wisconsin or Arizona or Alaska or elsewhere be sending their hard-earned tax dollars to Washington to be earmarked to renovate a theater in Ohio?

With that, I reserve the balance of my time.

Mr. LATOURETTE. Mr. Chairman, I rise to claim the time in opposition.

The CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. LATOURETTE. Mr. Chairman, I want to yield as much time as he may consume to my good friend and colleague from Dayton, Ohio, MIKE TURNER, the sponsor of this particular provision in the law, to answer the gentleman from Arizona's question.

Mr. TURNER. Thank you, Mr. LATOURETTE. I appreciate you yielding time to me.

Wilmington, Ohio, is in my congressional district, and it has seen a number of challenges over recent years. Of course, all across the country we are all experiencing the economic downturn, but specifically, in Wilmington, Ohio, they are experiencing the closure of DHL's North American hub, which was located there. The closure of DHL's operations will result in the loss of approximately 8,000 jobs, mainly in Clinton and Highland Counties in my district.

As a result, the Ohio delegation has sought increased Federal assistance to help the community as they recover from this economic emergency. The Ohio delegation has been successful in acquiring Federal dollars to help retrain former DHL employees and also help to create an economic development plan to move the community forward with possession of the Wilmington Airpark. Additionally, I have sought congressional earmarked funding for Wilmington projects which are needed, especially given their special economic circumstances.

The 91-year-old Murphy Theatre in Wilmington, Ohio, is both a local landmark and a community center that still hosts a wide range of events. The Murphy Theatre, which opened in 1918, was placed on the National Register in 1982, and the Murphy Theatre soon became the actual, as well as symbolic, heart of the downtown. The Murphy even hosted a John Philip Sousa concert. Today the Murphy Theatre hosts an average of 35 events a year, serving approximately 6,000 adults and 4,000 children.

Funding for this project will provide critical infrastructure assistance to ensure the viability of this local landmark. In addition to air conditioning and heating replacement, the Murphy Theatre needs roof repair, new auditorium seating, and interior plasterwork repairs from damage sustained from the leaky roof.

Wilmington hasn't the funds to perform even basic repairs to stabilize the condition of this American landmark. This funding request is vital to protect a historic treasure and also to ensure that it continues to meet strong local demand as a community center for entertainment and town activities.

Mr. Chair, I submit for the RECORD copies of letters in support of the project from David Raizk, the mayor of Wilmington; Randy Riley, a Clinton County commissioner; and Donny Mongold, the president of the Murphy board of trustees.

THE CITY OF WILMINGTON,
Wilmington, Ohio, July 22, 2009.

Re Murphy Theatre Restoration Assistance—$250,000.

Hon. MICHAEL TURNER,
Longworth House Office Building,
Washington, DC.

DEAR CONGRESSMAN TURNER: I am writing today in support of a federal appropriation for $250,000 for the Murphy Theatre in Wilmington, Ohio. For many years the historic Murphy Theatre has struggled with the need to replace the HVAC system and restore the building to modern standards. The Murphy Theatre Board has done an excellent job at maintaining the facility but are now at a point where major renovations must occur. In the heart of the downtown business district, the Murphy Theatre is one of our anchor businesses. This funding will make it possible for the Murphy to serve that key role for many generations to come and will help keep the heart of downtown Wilmington vibrant for our citizens, visitors, and other businesses.

Sincerely yours,

DAVID L. RAIZK,
Mayor.

CLINTON COUNTY COMMISSIONER,
Wilmington, Ohio, July 22, 2009.

Hon. MICHAEL TURNER,
Longworth House Office Building,
Washington, DC.

CONGRESSMAN TURNER: Thank you for all you do for our community and especially for the work you are doing to obtain funding for the Murphy Theatre in downtown Wilmington.

As you are aware, this classic old theatre is a central fixture in our community. We see the Murphy Theatre as the centerpiece in the redevelopment of our downtown core.

Unfortunately, because of the lack of air conditioning it is often impossible to use the theatre in the summer and, with the old system, it is very expensive to heat the building in the winter.

With your help and with the assistance of others in congress, we can solve this problem by allocating funds to fix the heating and air conditioning system in this beautiful, old theatre.

Preserving this historical theatre and improving it for continued community use is a very appropriate use of the $250,000 appropriation.

As always, please do not hesitate to contact me for more information on this outstanding project.

Sincerely,

RANDY RILEY,
Commissioner.

THE MURPHY THEATRE,
Wilmington, Ohio, July 22, 2009.

Mr. JOE HEATON,
Washington, DC.

DEAR MR. HEATON: The Murphy Theatre has been a historic icon of our City since being built in 1918. Many decades of folks have visited our theatre to watch movies, catch a live stage performance, hold an important community meeting, watch or participate in our annual Murphy community Christmas show or watch a county school musical performance.

This beautiful Murphy Theatre is a vital part of our community. We would like for future generations to enjoy the theatre as well as the history which accompanies it.

The boiler system which heats the Murphy is some fifty plus years old. It is old and unreliable, not to mention the high cost to operate and maintain this worn out system. We are in need of a new efficient updated heating and air system. Our survival depends on replacing this boiler as well as needing other capital improvements (i.e.; roof repair).

I respectfully request and highly support funding to help us keep this vital historic icon alive and well in our community for decades to come.

Thank you,

Sincerely,

DANNY W. MONGOLD,
President, Murphy Board of Trustees.

Mr. Chair, this amendment by Mr. FLAKE will not save one Federal dime. This community will lose important funding to support a local landmark while they recover from the loss of over 8,000 jobs.

Mr. LATOURETTE. I reserve the balance of my time.

Mr. FLAKE. I thank the Chair. I thank the gentleman for that explanation. That sounds like a wonderful theater. As I mentioned, I think we all have them in our districts.

My own hometown of Mesa a few years ago decided to construct a theater, and it was a hard-fought process to get the local residents to tax themselves to build this particular theater. That's as it should be. If the community feels that it needs a theater and it needs to renovate a theater, I think it falls on the local residents to decide, because they are the ones, frankly, that benefit from that.

But we can't have a policy at the Federal level where we renovate every theater across the country, particularly while we're running a deficit that could hit $2 trillion this year. How many theaters out there are in need of repair? How many districts are experiencing high unemployment? I can tell you mine is. All of them out there are.

□ 1600

At some point I think we have to decide that perhaps we can't fully fund this account, which is for economic development initiatives. Now, I won't make the case at all that this theater doesn't fall within the purview of this program. There is nothing that could possibly not fall under the purview of economic development initiatives. Whenever you spend money anywhere, there is some economic benefit, if only fleeting. So it fits well within the program, but I think it behooves us now to say you know, maybe we ought to forego that. Maybe we ought to decide we ought to change the 301(b)s and the 302(a)s and all of the numbers so we do save money on this, so we do actually spend less this year than we did last year, perhaps, because we're spending it elsewhere.

We cannot continue to spend money as we're spending money, and I would submit this is a good place to start to say let's not fund some of these renovations of theaters under the guise of economic development that clearly anything could fall under and virtually every district around the country could claim that they need. But we just can't decide here in Congress we're going to fund that one and that one but not that one. It doesn't make sense to do it that way.

Mr. LATOURETTE. Can I ask how much time I have?

The CHAIR. The gentleman from Ohio has 2½ minutes remaining.

Mr. LATOURETTE. Let me just say, the gentleman from Arizona, his amendment in this case is misguided and it, in my mind, exercises judgment that I hope not many in this House agree with.

Mr. TURNER has stated the case. You know, this business about the local

residents taxing themselves to build the theater. The local residents of Wilmington, Ohio, don't have jobs anymore. DHL pulled out in a town of, I think, 15,000; 8,000 of them lost their jobs. What are they supposed to tax?

And also, if we are supposed to be elected—each of us represented by the 700,000 people, well, then what are we doing here? Why don't we just hand off the entire Federal budget and all of the decisions to the President of the United States and his functionaries? Why do we have a legislative branch? We have a legislative branch because we do have the power of the purse, and we are local representatives closest to the people that get put on the ballot every 2 years, the shortest term in the United States Constitution, so people could keep an eye on us, and if they don't like us, throw us out.

Well, MIKE TURNER is supposed to stand up for the people in Wilmington, and the biggest need that he's found in Wilmington to fit this bill is to renovate this theater, which he has described as the heart and soul of Wilmington, Ohio, which has had its guts ripped out by this economy. High school graduations take place in this theater. It is a meeting place. The center of town. And if the duly elected representative to the United States House of Representatives from that area says that this is a need in this district, then by God, he should do it and the Constitution authorizes it.

I urge a defeat of the amendment.

I yield back.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

PART B AMENDMENT NO. 7 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk designated as No. 7 in part B.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 7 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''Department of Housing and Urban Development—Community Planning and Development—Community Development Fund'' shall be available for the construction of the Triangle Building by Alianza Dominicana, Inc., in New York, New York, and the aggregate amount otherwise provided under such heading (and the portion of such amount specified for Economic Development Initiative grants in the second paragraph under such heading) are each hereby reduced by $250,000.

The CHAIR. Pursuant to House Resolution 669, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. I thank the Chair.

Let me just comment on the last amendment that was offered. The gentleman mentioned that every Member here represents their own district, and they should advocate for their own district. Pretty soon, if that's the only standard we had, parochial interests would completely take over.

It's like the debate we're having right now on the F–22 or on military base closures. Virtually every Member here has a military base in their district. That's why we had to, through the military base commissions, take that out of the hands of Members, because we simply couldn't shut down military bases when we needed to because there is a process called ''log rolling'' in this case, where if you get some money for a theater in your district, I'll take money for a baseball field in mine. You won't challenge my spending, and I won't challenge yours.

That happens all too frequently in this case, and that's why you would hope that you have enough people who say, You know, I could get money for a baseball field in my district, but by golly, that will make us run a deficit that we can't sustain over time. And that's why I would hope that you would have people here to make decisions and say we can't fund every district in the country. So maybe we shouldn't have an account that allows Members to simply earmark wherever they will.

I would submit that that applies to this as well. This amendment would prohibit a quarter of a million dollars from going to Alianza Domenicana, Incorporated, for a construction of a new headquarters in Manhattan. According to the sponsor, these funds would be for a capital grant toward the development of the Triangle Bridge, which is a 48,000, six-story mixed use development currently being constructed that will house for-profit business and nonprofit community services.

I reserve the balance of my time.

Mr. RANGEL. I rise to claim the time in opposition.

The CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. RANGEL. Thank you, Mr. Chairman.

Well, judging what the attitude of the gentleman from Arizona believes is national, Federal, or something that should make us proud, I am a little reluctant to debate with him because he has a different idea than I and other Members have.

But I can tell you this: That in the great City of New York, we had immigrants come from all over the world. We have Chinatown, we have Little Italy, we have the Lower East Side, we have the Jewish community. But we also have a place called Washington Heights, and in my opinion, that's where the Statue of Liberty should be, because so many groups came there, raised their kids there and moved to other parts of the city and the country: the Irish, the Italians, Jews, Catholics. But somehow the Dominican Republic is the last one that's had its people come to New York and to America for a better way of life. Unlike most ethnic groups, they didn't have their own Murphy theater, they didn't have a place to go to. They didn't have museums, they didn't have a cultural center. And so it was the community that got together with the not-for-profits. We went to our mayor, we went to our governor, and they came to me. So it was the city, the State and the Federal Government that said, We should anchor a place of culture where kids can go after school, where we have sports, gymnasiums, poets, health care, and some place where the Dominicans can say that in a great country and in a great city and in a great community, they had a place anchored.

So they brought all of these not-for-profits together. We were able to raise money from the private sector, the property was given to us by the city, and we were very, very excited and hoped there would be a place where every Member of Congress, when they have a chance to visit the great city of New York, will say, Show me your city. And we'll take you straight to Alianza Dominicana, and show you that this is the quality of beauty, of culture, that we would hope that you would enjoy as we have so many other centers and museums that we would attempt to show off.

I would want my country and this Congress to be a part of that, and that's why I proudly support this allocation for that purpose.

I reserve the balance of my time.

Mr. FLAKE. I thank the sponsor of the earmark.

But let me just say the problem with accounts like this, these economic development initiatives, as I said, is a catch-all term and it seems to act as an account that Members can simply earmark. But here's what happens with the earmarking process. We're told in very highfallutin terms all the time about how Members of Congress know their districts better than those darn bureaucrats over in the agencies. And I can show you here what happens when you have that attitude. Apparently, only the powerful Members in this body—either those who are on the Appropriations Committee, which makes up 14 percent of this body, just under 14 percent, or if you include chairmen and ranking minority members—powerful committees in leadership. That takes it up to just under 24 percent.

But if you look here, here's the appropriations process this year. We have the numbers for all of the bills now, finishing with defense.

But if you look here in virtually every case, that small percentage of under 25 percent takes the bulk—in some cases, in some bills up to 70 percent—of the dollar value of the earmarks.

And so this notion that Members know their districts best, that those halfwit bureaucrats, they don't know what they're doing so we have to earmark those funds because they won't allocate them on the basis of merit, well, this is what occurs. This is what—I don't know how else to refer to it—but a spoil system where the Appropriations Committee and other powerful Members say this is where the dollar should go.

In this bill, I would commend those involved in this bill, 24 percent of the body is only taking 46 percent of the dollar value of the earmarks. That's the lowest total in any of the bills that we've dealt with this year. Next week we will be dealing with the defense, where we will be up to 58 percent.

So before we believe the rhetoric, it's just the Members working their will here and every Member has a right to represent their district, somebody would have to explain why certain Members get to represent their districts so much better than other Members year in and year out.

Again, as I said, if we don't like how the agencies distribute this money, we should tell them they have to change it. But we can't simply run a parallel program and say, All right. We're going to earmark these dollars. And in this case, it sounds like a wonderful program in New York. I'm not questioning the merits of it at all. I'm questioning why we're doing it by earmark. Why doesn't that program, those involved couldn't apply for the money and compete against those from across the country who are doing the same, instead of going to a powerful Member and saying, Here, will you earmark those dollars for us.

In many cases—it's not the case in this case—but in many cases, you have competitive accounts and people will apply for a grant and not receive it on a competitive basis. Those that are involved will say it doesn't have the merit that others do. So then they will go to their Member and say, Earmark these dollars. And we have some cases—not in this bill—but some cases where the Member will earmark and go around the system that we have told the agencies to create.

So, again, if we don't like how the agencies are doing it, let's change it. Let's not run a parallel system like that.

I reserve the balance of my time.

Mr. RANGEL. I object to the amendment, and I yield back the balance of my time.

Mr. FLAKE. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

PART B AMENDMENT NO. 8 OFFERED BY MR. FLAKE

Mr. FLAKE. I have an amendment at the desk, Mr. Chairman, designated as No. 8 of part B.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 8 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''Department of Housing and Urban Development—Community Planning and Development—Community Development Fund'' shall be available for the renovation of a vacant building for economic development by the City of Jal, New Mexico, and the aggregate amount otherwise provided under such heading (and the portion of such amount specified for Economic Development Initiative grants in the second paragraph under such heading) are each hereby reduced by $400,000.

The CHAIR. Pursuant to House Resolution 669, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would prohibit funding for the City of Jal, New Mexico, for use in renovating a vacant building and reduce the cost of the bill by a commensurate amount.

According to the sponsor's Web site, the building would be renovated with funds in this bill. The building that would be renovated is a former site of a junior high school which has sat vacant for a number of years.

The purpose of the project is to replace the building's roof, windows, doors, and upgrade its plumbing and electrical systems in order to attract a private buyer. However, the sponsor's description of the earmark says the city already has a buyer in mind—Louisiana Energy Services, which already has declined to purchase the old school due to its condition.

I reserve the balance of my time.

Mr. TEAGUE. Mr. Chairman, I claim time in opposition.

The CHAIR. The gentleman from New Mexico is recognized for 5 minutes.

Mr. TEAGUE. Mr. Chairman, I would like to thank the distinguished chairman of the Appropriations subcommittee for yielding to me and for working with me to invest in important projects in my congressional district.

I rise today in opposition to the amendment that has been offered by my colleague from Arizona. The amendment would strike an appropriation of funds from the Economic Development Initiative at HUD that I worked with my friend, the chairman of the subcommittee, to secure for the community of Jal, New Mexico.

Although I'm opposed to the amendment, I am pleased that the gentleman from Arizona has decided to offer it. The fact that he can and does offer amendments like this, brings the focus of the House and the Nation on certain projects, is exactly why this process has integrity. And it's why I feel comfortable participating in it for the benefit of my constituents in places like Jal, New Mexico.

□ 1615

I am happy to defend and debate the merits of this project, and I look forward to convincing a majority of my colleagues that this amendment should be defeated.

Mr. Chairman, Jal, New Mexico, is tucked into the southeast corner of my State and my congressional district. In fact, if it weren't for 5 miles and the grace of God, Jal would be sitting in Texas. It's a long way from pretty much everything, a long way from the Finance Committee of the State legislature in Santa Fe, and it's even farther from the faceless bureaucrats who staff the Federal agencies in Washington, D.C.

If not for Jal's elected representation in Congress, no one in this town would likely ever know the name of the place, or that it existed at all. Mr. Chairman, that's my job, to put Jal on the map, to know the priorities and the needs of communities like Jal and to work to address them. If there is a problem in my district, it is my job to get to work solving it.

So here is Jal's problem: the city of Jal owns the Burke Junior High School building, which is a 40,000-square-foot building that was utilized from 1968 to 1986 as the Jal Middle School. The building has now been vacant for a number of years, and for the facility to be put to use again, the city would need to replace the building's roof, doors, windows and a complete upgrade of plumbing and electrical systems.

This is what the EDI appropriation will fund. With the renovation of the building, the city of Jal hopes to attract private industry to town. Having a tenant in the building will create jobs in Jal and increase the town's tax base. Projects like this are exactly why the Economic Development Initiative was legislated in the first place, and I'm proud to have sponsored this appropriation for Jal.

Mr. Chairman, I'm not going to stand by and hope that some faceless bureaucrat looks kindly upon a place like Jal. I know the community's needs. I know the problems. I was elected to stand up for places like Jal, New Mexico, not hope that someone else does. Again, I thank the gentleman from the Arizona for his principled and important participation in this process. I urge my colleagues to reject this amendment.

I reserve the balance of my time.

Mr. FLAKE. I should mention that this money is going to be used to renovate this building. The sponsor already has a buyer in mind. I mentioned Louisiana Energy Services, which already declined to purchase the old

school due to its condition. LES is a subsidiary of URENCO, which is a global nuclear fuel company and currently holds approximately one-quarter of the world's share of uranium enrichment services. According to the Web site, LES is working toward constructing the first-ever centrifuge enrichment facility in the U.S., which would be based just a few miles from Jal. The hope is, apparently, to renovate this facility and then get this company to buy it. Now that is economic development, I grant you, certainly, and then the proceeds apparently would go to the city.

But that's just saying that we ought to give $400,000 to the city, apparently. This isn't going to be used for a public purpose. It's being sold off to a private company. Now, every city in this country is hurting financially. I think we have established that. But here we had it raised again that we are not going to rely on some faceless bureaucrat. I'd forgotten the term always used, not ''feckless'' or ''hapless,'' but ''faceless'' bureaucrats. It seems strange to me that we won't trust these faceless bureaucrats to distribute earmarks or distribute Federal funding, but we will trust them with health care.

In the context of this debate, that's what seemed odd to me. But given that, simply, if we don't like the way they're distributing money, and we believe that this money should be distributed, and I would question that, I would question the existence of this Economic Development Initiative money that we have here, we probably ought to get rid of it completely given the dire straits we are in financially as a Federal Government.

But if we're going to have it, then we ought to ensure that the agencies set up a program by which every jurisdiction in this country has an equal opportunity to compete, and not just individual Members of Congress, and as I explained before, in particular, powerful members on the Appropriations Committee or those in powerful leadership positions. That's not the way to distribute taxpayer money in this regard.

With that, I reserve.

Mr. TEAGUE. I thank the gentleman for his concerns. LES is a uranium enrichment facility that currently employs about 2,000 people in the Eunice-Hobbs-Jal area. It's a major employer and one of the biggest employers in the area. The building and operation of the LES plant is now about a $4 billion project, so its operations and its impact extend across a few different communities in the area.

It's my understanding that Jal would like to attract LES to town, possibly making use of the renovated Burke school. However, the renovated school would be open for use by any number of companies. This appropriation is a fine example of the community using the EDI program to attract private investment.

I reserve my time.

Mr. FLAKE. How much time is remaining?

The CHAIR. The gentleman has 2 minutes remaining, and the gentleman from New Mexico has 30 seconds remaining. The gentleman from Arizona has the right to close.

Mr. FLAKE. Again I would say, what the Web site says is that the buyer is likely to be this company, LES, a subsidiary of URENCO; and that's fine. But we might as well be giving them the $400,000 and allowing them to renovate it and then purchasing it, or giving the city that much. And that's fine if that's what we decide to do. But this is no way to distribute these kinds of moneys. This is no way to run a program.

I would submit that when you have a deficit that may hit $2 trillion this year, at some point, somewhere, sometime this body has to say enough is enough. And if we can't keep a half million dollars from going to a program like this, where are we going to start? Where are we going to say enough is enough? Where are we going to say, we are going to get this deficit under control and we are really going to go after entitlement suspending now? If we can't do it here, where can we do it?

With that, I reserve.

Mr. TEAGUE. Once again, I appreciate the concerns of my colleague from Arizona, and I would just ask my colleagues to vote in support of Jal and all small communities in New Mexico and vote against this amendment.

I yield back my time.

Mr. FLAKE. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

PART B AMENDMENT NO. 9 OFFERED BY MR. FLAKE

Mr. FLAKE. I have an amendment at the desk designated as No. 9 in part B.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 9 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''Department of Housing and Urban Development—Community Planning and Development—Community Development Fund'' shall be available for the Monroe County Farmer's Market facility construction project of the Monroe County Fiscal Court, and the aggregate amount otherwise provided under such heading (and the portion of such amount specified for Economic Development Intiative grants in the second paragraph under such heading) are each hereby reduced by $250,000.

The CHAIR. Pursuant to House Resolution 669, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would prohibit a quarter of a million dollars in funding for the Monroe County Farmers' Market facility construction and would reduce the cost of the bill by a commensurate amount. The sponsor of this earmark says in his Web site that ''these funds will be used to construct a new market facility that will promote economic development and provide added benefits to the local community.''

Farming is an important component of Kentucky's economy. According to the Kentucky Department of Agriculture, Kentucky farmers sold nearly $5 billion worth of farm products in 2007 alone. Given the number of farmers' markets throughout the State, that is not too surprising. The Department of Agriculture's Web site shows that there are more than 100 farmers' markets currently up and running in the Commonwealth of Kentucky. Nearly 200 vendors participated in these markets in 2008. Farmers' markets in Kentucky appear to be both successful and profitable.

So my question is why are we saddling the taxpayers with a bill for construction of one more farmers' market? I have no doubt that this farmers' market in Kentucky has seen a drop in business as a result of the economy. Virtually every business across this country has. I also think that we could find that these earmarks do benefit the agricultural community there. That isn't any doubt.

The question again here is how do we choose? And why do we say, all right, we're going to aid this one but not another one? And in particular at a time like this, why are we taking money from the taxpayers and then distributing it out as we see fit, rather than allowing them to keep it themselves?

With that, I reserve.

Mr. LATHAM. I claim the time in opposition.

The CHAIR. The gentleman from Iowa is recognized for 5 minutes.

Mr. LATHAM. I would like to recognize the gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. I thank the gentleman for yielding. I rise to, not surprisingly, oppose this amendment from the gentleman of Arizona. And I might say to him that we all appreciate his concern, his dedication and his commitment to fiscal responsibility. But I would also say that even if we eliminated all earmarks of the legislative branch, it still would not make any dent at all in our deficit and debt in this country.

And so I would ask the gentleman and simply suggest that let's look at some more meaningful ways to deal with this issue. For example, I think most Members would agree with you that the vast majority of earmarks do probably go to appropriators rather

than nonappropriators. And I think many Members would be willing to join you in an effort to try to change the House rules in some way and maybe deal with that issue. I might also say that under the PAYGO rules of this Congress and the last Congress, the 110th Congress, they waived PAYGO rules enough times that the amount that they waived was $450 billion.

So I would ask the gentleman to join me in a resolution that I introduced yesterday to simply say that if the PAYGO rules are waived, that any Member of Congress has a right to raise a point of order and have a vote on the waiving of the PAYGO rules. I think those are two ways to more substantively address your concerns.

As far as Monroe County, Kentucky, let me just say this: Monroe County, Kentucky, is a county of 11,000 people located in south central Kentucky. It is primarily economically driven by agriculture and the textile industry, except the textile industry has closed down over the last 10 years or so. The unemployment rate in Monroe County right now is 15 percent. The most important economic engine in Monroe County is agriculture. And that's why I requested, at the request of the county judge and the fiscal court and the mayor of the community coming to me and asked for $250,000, to develop this farmers' exchange facility to help the economic development in that area.

I might also point out that on September 16, 2008, the chairman of the House Transportation and Infrastructure Committee, JAMES OBERSTAR, and U.S. Delegate ELEANOR HOLMES NORTON presented a $2 million EDA investment check to the Government of the District of Columbia to help restore and upgrade the historic Eastern Market where farmers bring their goods and people buy and sell them.

Now Monroe County does not have access to high-priced lobbyists. There's not a lot of influence in Monroe County. So when they came to me—and I don't get that many earmarks—I simply felt it was the proper thing to do, to help this community overcome its high unemployment, to try to stimulate the economy in a small way and to help the farmers in that area. So I would urge and request that the Members vote to defeat the gentleman from Arizona's amendment.

Mr. LATHAM. I reserve the balance of my time.

Mr. FLAKE. May I inquire as to the time remaining?

The CHAIR. The gentleman from Arizona has 4½ minutes remaining. The gentleman from Iowa has 1 minute.

Mr. FLAKE. I'll make a note before I yield to the gentleman from Utah. I recall that Eastern Market earmark for D.C., and I challenged that one as well. We shouldn't have distributed that money either.

I yield 1½ minutes to the gentleman from Utah.

Mr. CHAFFETZ. With all due respect to my colleague, I'm sure that the people of Monroe County are wonderful, beautiful people, and I wish them nothing but the best. But to suggest that $250,000 doesn't matter is fundamentally what is absolutely totally wrong with this institution. We are $12 trillion in debt. We are spending $600 million a day in interest, and the people of Utah and the people of Florida and the people of Michigan should not pay to try to build up another Monroe County Farmers' Market.

I opposed a parking lot, a $750,000 appropriation, for the city of Provo in my district because I do not believe it's the fundamental and proper role of government to try to transfer a group of shoppers from one mall to another mall. I opposed in Utah a million-dollar expenditure for the Shakespeare Festival because they wanted a new lighting system. This is what is wrong with America.

□ 1630

We have to say no to something. If we can't say no to a farmers market, what in the world are we going to say no to? Time after time after time the gentleman from Arizona has identified projects that fundamentally have absolutely no, no Federal nexus. When is this body going to stand up and take a stand and say, It's not our money; it's the people's money? And we should not be spending Federal taxpayer dollars on another farmers market if it's in my district, if it's in Kentucky, no matter where it is.

Mr. LATHAM. I will yield the balance of my time to a colleague from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. Look, ED WHITFIELD has been in this House since 1995. He knows his district better than anybody that has spoken on this amendment, and he's described a need in his area. And I would just suggest that if this earmark thing was such a great idea and it really captured the hearts and minds of the American people and would do anything to reduce spending in a significant way, JOHN MCCAIN would be President of the United States today and we would have had a different budget resolution. We would have had different 302(b) allocations.

But again, to deny a Member of Congress the opportunity to identify districts—and I'm not going to say faceless bureaucrats because I'm with the gentleman from Arizona about this health care business. That's a nonstarter for me. But I will tell you that to basically say we're not going to spend the money, we're going to punt, we're not going to do our jobs and represent other people and we're going to let President Obama and his team spend all the dough, it's just wrong.

I urge defeat of the amendment.

Mr. FLAKE. The gentleman from Kentucky makes a wonderful point about overall spending. Earmarks represent a small portion of Federal spending, a very small portion. The problem is, as my colleague in the Senate Dr. COBURN calls them, the gateway drug to spending addiction. And the problem with earmarks is that when you load them up in bills, you will support bills, both the majority and the minority, that you would in no other case support.

Now, take for example, in 2005, we reauthorized the highway bill. In that bill, it was a $285 billion multiyear authorization. We knew because the chairman of the Appropriations Committee stood up at that time and said, We don't have the money in this bill to fund what is being authorized. We're going to run short. Sure enough, we've run short. We had to transfer $8 billion into that bill just a while ago. We were asked to transfer another $6 billion, and there will be more and more.

But you know why that bill passed when everybody in this body knew that we were spending money we didn't have? Because it had 6,300 earmarks in it, and nearly every Member of this body had some. And they knew that if they didn't support it, they might get their earmarks yanked out when it went to conference. That's the problem with this body, and that's the problem with earmarks.

Earmarks are much greater than the sum of their parts. They force you to support bills you would in no other case support simply because you've got your earmarks in and you have to support that bill. And so, that's the problem here.

And then year after year, we say, ''Well, they're only a small part, and if we cut funding for this earmark, it won't cut funding for the bill. It will just go somewhere else,'' when we could, if we wanted to, simply lower the allocation for the bill by the amount that the earmarks represent. But we don't do that so we can use the excuse later that we can't get rid of these earmarks because it won't save any money.

Well, I don't think the people across the country are buying that. They've heard that song too much. We'll have a deficit this year that might approach $2 trillion. We need to start somewhere, and I would suggest we start here.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

PART B AMENDMENT NO. 10 OFFERED BY MR. FLAKE

Mr. FLAKE. I have an amendment at the desk designated as number 10 in part B.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 10 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''Federal Highway Administration—Surface Transportation Priorities'' shall be available for the Millenium Technology Park project in New Castle, Pennsylvania, and the amount otherwise provided under such heading is hereby reduced by $500,000.

The CHAIR. Pursuant to House Resolution 669, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would prohibit the use of $500,000 for the Millennium Technology Park in New Castle, Pennsylvania, and would reduce the spending in the bill by the same amount.

According to the sponsor's Web site, the money would be used to design and construct the Millennium Technology Park, on which ground was broken in 2006. The technology park was initiated by the Lawrence County Economic Development Corporation to create ''new advanced job opportunities by providing small to large forward-thinking companies with prepermitted, shovel-ready sites.''

With that, I reserve the balance of my time.

Mr. ALTMIRE. Mr. Chairman, I claim the time in opposition.

The CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. ALTMIRE. I thank the gentleman from Arizona for allowing me the opportunity to come to the floor and discuss a project in my district that I'm very proud of. This is a project that is on a border area between Ohio and Pennsylvania.

The service region for the project, the coverage area for the employment base, and the economic development opportunity spans nine counties in two different States. And it's in an area of the country that has suffered greatly with the loss of manufacturing jobs over the past several decades, and it's in an area of the country that's trying to retool itself and trying to gain traction with economic development activities, especially in high tech fields, high technology manufacturing.

It's in an area where there used to be heavy manufacturing, an industrial site that has been reconfigured to play the role now across nine counties of job growth. It's expected that when this project is completed, it's going to create 2,500 jobs, and the money that we're directing towards that project through this bill isn't in the absence of community support. We have generated 18.7 million through the State of Pennsylvania and through local community sources to fund this project.

This is a project that's ongoing. As the gentleman from Arizona points out, it was initiated in 2006, and the $500,000 that we're talking about today specifically goes towards access roads. And the Federal Government, as the gentleman knows, does play a role in transportation funding. That's what this bill is all about.

So we're talking about a continuation of a project that was initiated 3 years ago, that's going to create 2,500 jobs, that's going to serve nine counties across three States, and that's going to help continue the rebirth of a region in the country that has suffered. I can think of no better way to spend transportation money than on a project of this sort.

And I reserve the balance of my time.

Mr. FLAKE. Again, we have here, this is money going to a technology park. Where in the world is the Federal nexus there, I would ask. Why is it that we're being asked, as taxpayers in California and New Mexico, Arizona, New York, to pay for a technology park to attract businesses in Pennsylvania? Under that kind of rubric, what wouldn't qualify for money? Why wouldn't we just scatter money all over? Apparently we have, with a $2 trillion deficit, but we can't continue to do that.

One thing that these technology parks and money for them typically does, they're usually called new business incubators, and what they turn out to be incubators of is earmarks. In fact, this very project received a $500,000 earmark 2 years ago, and my bet is that next year, or the year after or so, there will be another earmark for the same project because you can never have enough business for a district. No Member of Congress will ever take the podium and say, Hey, I've got too much business in my district. We don't need to construct another technology park. We can't use another earmark. Please, no more.

It's going to continue to go and go and go. But where do we stop? Where do we say enough is enough? We can't continue to put out money this way.

I reserve the balance of my time.

Mr. ALTMIRE. I would say in response to the gentleman from Arizona, the funding that we're talking about, again, is transportation funding, and it's going to build access roads. The funding for the technology park, 18.7 million, has already gone towards the park itself. We're talking about the transportation component of that to build the roads.

And before I yield to the chairman of the committee, what I will say is the gentleman holds up the chart that talks about the earmarks that go to appropriators and people who've been in this House a long time. Well, look, I'm a second-term Member. I'm not an appropriator, and I'm not a chairman of a high-level committee, but I was elected to represent the Fourth Congressional District of Pennsylvania. I was elected to survey the need and to do everything I can to fight for my constituents and to fight for my district.

And despite the fact that I'm not a chairman, despite the fact that I'm not on one of the exclusive committees, I was able to convince the committee to put this money in because this is a good use of taxpayer funding. This is going to create jobs. This is going to grow the economy in two States across nine counties.

And I would yield the remainder of my time to Chairman OLVER.

Mr. OLVER. I thank the gentleman for yielding, and I thank you for your careful defense of the job that you do as a Representative there for New Castle, Pennsylvania.

I asked for the time because just a few minutes ago the gentleman from Arizona had spoken about the distribution of earmarks and how it seems to favor certain Members or committees, and I wandered over to see, and I suspect that I and my ranking member are in trouble for the nature of that chart.

But, as a part of your argument, the gentleman's argument, the gentleman mentioned that maybe the Federal agencies can do a better job of distributing funding more equitably. However, one really ought to look a little bit at what has been the historical record and some fairly recent historical record.

In fiscal 2007, we included no earmarks in this bill.

The CHAIR. The time of the gentleman has expired.

Mr. FLAKE. May I inquire as to the time remaining?

The CHAIR. The gentleman from Arizona has 2½ minutes.

Mr. FLAKE. I yield 30 seconds to the gentleman to finish his thought.

Mr. OLVER. I thank the gentleman. That was very kind of you.

In fiscal 2007, we included no earmarks in this bill and gave complete discretion to the Secretary of Transportation. Remember, that was the year that the majority tipped, but we still had the previous President in place. The result of that was that the Secretary of Transportation distributed over $1 billion of discretionary money to five cities, to five places, five single places.

Mr. FLAKE. I thank the gentleman for making that point, and I have no grief for faceless bureaucrats, believe me. I don't want them running my health care. But if we don't like the way they're doing things, let's change it. Let's not appropriate the money.

Frankly, this account from which these funds are drawn probably, in my view, should not exist. I mean, economic development initiatives? You can fit anything under that. And it's just an excuse to give out money here from Congress or let the bureaucrats do it.

I'm not saying that we should give all of our money there and say don't do it. If we don't like the way they do it, then set up a structure and say, You have to do it by merit. And if we don't like the way you've distributed it the following year and we can prove that you did it on a basis that is not equitable, then we cut your funding completely the next year.

That's what our purview is, not to say we don't like the way you do it so we're going to set up a system by which the appropriators take upwards of a low of 46 percent, appropriators and powerful Members, when they represent only 24 percent of the body, and a higher limit of 70 percent.

Mr. OLVER. Would the gentleman yield another 30 seconds?

Mr. FLAKE. Fifteen.

Mr. OLVER. Well, if the gentleman would place all the earmarks funded in this bill in '08 or '09 on a map and show where those had actually gone, you'd find that the earmarks have been spread much more widely, much more evenly among all 50 States and the territories than you would find by the bureaucrats.

Mr. FLAKE. He makes the point exactly. We shouldn't appropriate this money at all. This money for economic development should stay in the hands of small business before it's taxed and let them do with it as they will: cut their payroll tax, cut something else, leave it with them. Don't take it and then distribute it by means of congressional earmark or Federal bureaucrat fiat. I'm saying don't spend it that way. But if we don't like how they do it, let's not create a parallel program that is just as inequitable.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

□ 1645

PART B AMENDMENT NO. 11 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk, a final amendment.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 11 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''Federal Highway Administration—Surface Transportation Priorities'' shall be available for the reconstruction of Rib Mountain in Wisconsin, and the amount otherwise provided under such heading is hereby reduced by $500,000.

The CHAIR. Pursuant to House Resolution 669, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would remove $500,000 in funding for the reconstruction of Rib Mountain Drive in Wisconsin, and it would reduce the cost of the bill by a commensurate amount.

I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I claim time in opposition.

The CHAIR. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I reserve the balance of my time.

Mr. FLAKE. Mr. Chairman, I reserve the balance of my time.

The CHAIR. The gentleman from Wisconsin has the right to close.

Mr. FLAKE. Mr. Chairman, doesn't the sponsor of the amendment have the right to close?

The CHAIR. A member of the Appropriations Committee, if in opposition to an amendment, has the right to close.

Mr. FLAKE. Oh, okay. All right. I should have known.

According to the sponsor of this earmark, the funds would go for additional turn lanes, signals and a sidewalk on Rib Mountain Drive. The certification letter for this earmark refers to this particular stretch of road as the ''primary roadway in a commercial district,'' and it says that the project will ''enhance both safety and efficiency.''

I have no doubt that it will do this. I have no doubt, but my understanding is that the State of Wisconsin has a program where they grant funding for programs like this, for projects like this on a priority basis. Apparently, the State of Wisconsin didn't see this as a priority or they would have funded it, or perhaps they did, but in realizing there was a powerful Member here in Congress, felt they didn't have to because the Federal taxpayer could pick up the tab.

So, here again, why are we paying for a roadway that doesn't serve an interstate purpose? This is not part of the Interstate Highway System. Again, here, it's a parochial interest, and I understand that, and the Member will advocate fiercely for it and for his right to get that earmark. Certainly, the Member, my good friend from Wisconsin, is in a position to do that. The question is why. Why do we continue with a program like this?

Let me show you this chart again. Here is the appropriations chart for this year. We have all of the legislation that we have considered so far. We have just shy of 24 percent of the Members of the House. This includes the appropriators, who make up between 13 and 14 percent. The leadership Members and ranking minority members and chairmen of committees get a low of 46 percent in this bill and a high of 70 percent in the Financial Services bill.

This seems to be a pattern, and it's a pattern that stretches beyond. Last year, I think there were similar spoils here. I understand that. Members, when they're here longer, apparently understand their districts better than Members who haven't been here as long, but it begs the question: Why do we continue to do this? I always appreciate when the chairman stands and says that earmarks grew under Republican rule. They did, and that's something that will haunt us, I think, forever, and as Republicans, it should. The chairman also says, when he was chairman of the Appropriations Committee prior to the Republicans' taking over in '94, there were no earmarks whatsoever in the Labor-HHS bill, not one earmark. Tomorrow, we'll consider that bill. I think there are well over 1,000 earmarks in that bill. There are over 1,000 earmarks in the bill today. There are well over 1,000 earmarks in the defense bill that we'll consider later next week.

Just because Republicans ramped it up doesn't mean the Democrats have to continue it this way. Some will make the case that we've cut down the number and the dollar value. That's a good thing. Yet, when you go from zero and say with pride ''there were no earmarks when I chaired the committee before, and now there are only 1,000, and we should feel good about that,'' there's something wrong with this picture.

Again, it's not just the money and the earmarks. It's not just that we're spending on a local transportation project that should be funded locally. It's that, when you get earmarks like this in a bill and when you include 1,000 of them, you gather support for a bill that, in this case today, increases overall spending by 13 percent, I believe, over last year's bill. In a year when our deficit will approach $2 trillion, we are here, saying that's okay. We'll have a big vote on this bill—Republicans and Democrats is my guess—largely because there are so many earmarks in this bill that people think ''I've got a little piece of it, so I'm going to vote for the broader bill.'' That's what has driven up spending under Republicans and Democrats alike.

When we lard up these bills with earmarks and pet projects, we grease the skids for them to pass when we should stand up and say that we cannot sustain this level of spending. Again, it's not just a Democrat thing or a Republican thing. This body, as a whole, is guilty of it, but earmarks are a large part of that, and we have to recognize it. You can cloak it in whatever language you want with regard to ''representing my constituents,'' but every constituent is out there, wanting money. I can tell you mine want to keep a lot more of theirs rather than send it to Washington so Washington can decide, well, I'm going to spend a little on a roadway in Wisconsin.

With that, I yield back the balance of my time.

Mr. OBEY. Mr. Chairman, the project under discussion is a transportation project, and this is a transportation bill. Until 10 years ago, my State, Wisconsin, was a donor State to highway trust funds, at one time getting just a 70-cents-on-the-dollar return on our Federal gas taxes. As a delegation, we

fought like the devil for over 30 years to turn that around. We finally have. Despite that fact and the changes we've been able to make, Wisconsin, along with other Great Lakes States, still rank way down the list—45th, 46th, 47th on its per capita return on Federal dollars.

In contrast, the gentleman's State, Arizona, does much better. Compared to Arizona, for example, Wisconsin receives about $759 less from the Federal Government per capita. Arizona does very well, for instance, in Federal procurement dollars, getting about $866 per capita more than Wisconsin. In grant programs, such as highway funds, Arizona gets about $130 per capita more from the Federal Government than does Wisconsin.

When I came to Congress, Wisconsin had 10 Members in the House. Arizona, I believe, had 3. Arizona has had a huge growth in population during the subsequent 40 years, and it has been financed, in very large part, by Federal dollars. I don't remember how much the Central Arizona Project cost, but it was billions. I think what the gentleman is suggesting is, now that Arizona has got his, that he begrudges somebody else trying to get pennies by comparison.

Let me point out that, in this bill, Arizona gets $13 million in earmark funds. He says that Wausau, the community where this highway is being repaired, is not on the interstate. Well, why on Earth should we confine Federal responsibility only to communities lucky enough to be on interstate roads? Why should we tell small rural towns, ''Sorry. Go off in the corner. You don't have a right to participate in Federal support''?

With respect to this particular project, we are trying to help the community of Rib Mountain, part of the Wausau metropolitan area. We are trying to fix some problems on that heavily traveled and congested commercial corridor by adding turn lanes and a median traffic signal. On July 4, two 15-year-old girls were hospitalized by an accident in the very location where this road is to be modernized. I make no apology whatsoever for trying to improve that situation.

I would also point out, if you want to talk about me, the unemployment level right now in the Wausau area is well over 12 percent. The last time I checked, the unemployment level in Mesa was 7.3 percent.

The gentleman from Utah also was commenting on the previous earmark, complaining about that fund. The unemployment level in Utah is 5.9 percent, less than half of what it is in my community. I don't see why I should apologize for trying to get a few items for my district.

I would also note one other thing. If you want to talk about earmarks, as the gentleman knows, they make up less than 1 percent of the discretionary part of the Federal budget. I've never seen a Congress change any President's budget by more than 3 percent. That 3 percent difference in congressional decisions versus Presidential decisions is the difference between having a President and having a King. I make no apology whatsoever for the Congress' trying to occasionally exercise its responsibilities in terms of the power of the purse.

I would also point out one other thing. If you take a look at the real cause of the deficit, the gentleman goes after these very small projects, and then suggests that they have a major impact on the deficit. I don't know where the gentleman was when the previous administration was turning $6 trillion in projected surpluses into a $1 trillion deficit. I don't know where the gentleman was when the administration was spending $1 trillion on a misguided war in Iraq. Those are the items that raise the cost of government. Those are the items that add to the deficit. Those are the items that significantly add to the debt. I make no apology for this project in that context.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

It is now in order to consider amendments printed in part C of House Report 111–219.

PART C AMENDMENT NO. 3 OFFERED BY MR. HENSARLING

Mr. HENSARLING. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part C amendment No. 3 offered by Mr. HENSARLING:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''Department of Transportation—Federal Highway Administration—Federal-Aid Highways (Limitation on Obligations)'' shall be available for the Doyle Drive Replacement project in San Francisco, California, and the amount otherwise provided under such heading is hereby reduced by $2,000,000.

The CHAIR. Pursuant to House Resolution 669, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chairman, this is an amendment that would strike a $2 million earmark requested by the Speaker of the House for the Doyle Drive Replacement Project in San Francisco. Apparently, this drive is owned and operated by the California Department of Transportation, known as Caltrans, which acquired it in 1945 and which charges tolls from vehicles coming across the Golden Gate Bridge.

According to the Web site, the money, among other things, would be used to ''raise the original profile of the southbound lanes to preserve the cultural landscape and retain the cultural relationship between the upper and lower portions of the Presidio.''

It would ''reconfigure the Girard Road interchange to preserve the Gorgas Avenue streetscape adjacent to the historic warehouses and to improve views to the Palace of Fine Arts.''

Now, Mr. Chairman, I'm not here to tell you that all earmarks are bad. I'm not even here to tell you that somehow this is a bad use of somebody's money. I've never been a particular fan of the earmark system, but I don't come here to debate that today. I've heard a number of people say, ''Well, relative to the Federal budget, this is kind of pennies and nickels.'' Well, yes, maybe it is. I hope, number one, I'm never in Congress so long that I consider $2 million to be pennies and nickels, but if it is, you know, and if you don't start saving those pennies and nickels, how will you ever save the dollars?

Frankly, with the oppressive treatment we have at the Rules Committee, the amendments that Republicans would offer that would save billions of dollars somehow are never quite made in order.

So, Mr. Chairman, why is this important? I think it's important because we need to take stock of where we are as a nation. Since President Obama was elected, we have seen now the highest deficit we've ever seen in our Nation's history. It's over $1 trillion. Mr. Chairman, it's on its way to $1.8 trillion. That means, since the Democrats have taken control of this House, the Federal deficit has increased tenfold. The national debt is being tripled under their watch, under their budget—tripled—with more debt in the next 10 years than in the previous 220.

□ 1700

So, yes, maybe $2 million is small relative to that, but Mr. Chairman, again, if you don't change the culture of spending, how are you ever going to change the spending?

And I wish the Speaker of the House was on the floor now. I would pose a question to her that I've posed before. Early in her career when she was in the minority, she said, It is just absolutely immoral, immoral for us to heap those deficits on our children. And so I would respectfully ask the Speaker of the House, if it's immoral to do it, why are you doing it? This is $2 million, 2 million more dollars of deficit that, according to the Speaker of the House, is immoral.

The Speaker also has said, prior to becoming the Speaker of the House, I'd just as soon do away with all earmarks; you can't have Bridges to Nowhere for America's children to pay for. I would respectfully ask the Speaker of the House if she was on the floor

now, Madam Speaker, if you would just as soon do away with earmarks why don't you lead by example and quit asking for them?

It appears in this appropriations cycle that she has requested herself, or jointly with others, 30 earmarks worth $36 million. According to Taxpayers for Common Sense, in the last appropriations cycle, Mr. Chairman, Speaker of the House PELOSI ranked 16th out of 435 Members of Congress on the number of earmarks she requested.

Again, at a time of trillion-dollar deficits maybe there's time to say ''no'' to one project today so we can say ''yes'' to our children's future tomorrow.

I reserve the balance of my time.

Mr. OLVER. Mr. Chairman, I claim the time in opposition.

The CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, I rise in opposition to the amendment. Let me make a few remarks about the general process and then about this amendment, and then maybe I will even have a little bit more time.

As indicated in the report to this bill, the funding for earmarks on the Transportation and HUD appropriations bill in 2010 has been cut to 50 percent of the 2006 levels. I would remind the gentleman that in the 2006 budget there was both a Republican majority in both branches and the President of the United States as well.

Also, this year, Chairman OBEY introduced new requirements to continue our effort to ensure that the appropriations process is open, transparent and worthy of the public's trust. As part of that, the committee vetted each request with the agency under whose jurisdiction an earmark would fall. Also, each request has been publicly disclosed on Members' Web sites so everyone can know exactly what has been asked by every Member and what ones are being funded.

I oppose the particular amendment here because the funds here, the $2 million of funds, are being used to replace Doyle Drive with a new parkway connecting the Golden Gate Bridge and the Golden Gate National Recreation Area. Federal funds would be used for project design work and the right-of-way acquisition. Doyle Drive is the only link between the San Francisco peninsula and Northern California counties, and is, therefore, designated as a postdisaster recovery route.

Doyle Drive was built the year I was born and is reaching the end of its useful life. The lack of shoulders and the absence of a dividing median create dangerous operating conditions and often result in serious accidents. The drive is ranked as the fifth-worst bridge in the Nation and the worst in California on the measure of structural insufficiency. 100,000 drivers, 18,000 transit riders use that Doyle Drive every day. So for those reasons I think this is a very important earmark.

Then I would like to comment, and I oppose, again, the amendment. I would like then to use the rest of my time to point out something that I did a little bit earlier, which was to point out that at the end of the Carter administration there was $1 trillion of national debt. That took us from the Presidency of President Washington all the way 190 years to 1980 to get $1 trillion of national debt. Twelve years later, the national debt was over $4 trillion, more than four times, more than quadrupled in that 12 years. That's the 12 years of the greatest debt increase in the history of the country by any percentagewise.

In the Presidency of President Clinton, the debt went up another one-third, 33 percent, in that 8 years which is quite modest compared to what it then went up during the previous administration, the years from 2001 through 2009. The debt during that period went up from $5.3 trillion—I think maybe I said 5.4 the last time I made this, hadn't quite gone down that much—but in any case, it's gone up over $10 trillion by the end of the Bush administration. So that's another doubling, the largest actual number of dollars of debt increase in trillions of any kind but not the largest percentage. This was only a doubling there.

And where the gentleman gets the idea that the debt will be a tripling under the present President, I cannot imagine. It will take at least seven more years for us to have any idea what the level of the debt will be at the end of that time. He might be surprised, we might all be surprised that it will be a good deal more modest than the kinds of numbers that the gentleman is using today.

Mr. LATHAM. Would the gentleman yield?

Mr. OLVER. I would be happy to yield.

Mr. LATHAM. I just want to make the comment that, unlike Doyle Drive, you have not come to the end of your useful life.

Mr. OLVER. I reserve the balance of my time.

The CHAIR. The gentleman's time has expired.

Mr. HENSARLING. Mr. Chairman, I certainly concur with the gentleman from Iowa.

It was a fascinating history lesson that the gentleman from Massachusetts provided us with, but here are the facts.

According to the Congressional Budget Office, which happens to be appointed by Democrats, we have the largest deficit in the history of the Nation at $1 trillion, 1.8 estimated at the end of the year, and it is CBO that says that the 10-year budget will triple the national debt.

I would ask the gentleman, again, from Massachusetts if this funding is so important, why isn't it paid for by the State of California, the city of San Francisco, or how about those toll roads? And is it really worth borrowing the money from the Chinese and sending the bill to our children and grandchildren at this time? I think not.

I would urge adoption of the amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. HENSARLING. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

PART C AMENDMENT NO. 4 OFFERED BY MR. HENSARLING

Mr. HENSARLING. Mr. Chairman, I have an amendment at the desk designated No. 4.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part C amendment No. 4 offered by Mr. HENSARLING:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''Department of Transportation—Federal Highway Administration—Surface Transportation Priorities'' shall be available for the Philadelphia Museum of Art Transportation Improvement Program in Pennsylvania, and the amount otherwise provided under such heading is hereby reduced by $750,000.

The SPEAKER pro tempore. Pursuant to House Resolution 669, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 5 minutes

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chairman, this is an earmark designated for the Philadelphia Museum of Art, transportation improvement program, for three-quarters of $1 million, I believe requested by the gentleman from Pennsylvania, who is on the floor.

There is no doubt, Mr. Chairman, that the Philadelphia Museum of Art is one of the great art museums in America. I've had the occasion to visit it actually on two occasions I believe. Many in America recognize the steps as the ''Rocky'' steps from the popular film ''Rocky.''

According to the sponsor's Web site, the earmark will be used for, ''Intermodal transportation improvement project to resolve pedestrian and vehicular issues at the convergence of Kelly Drive, Spring Garden Street, Art Museum Drive, Pennsylvania Avenue, and Fairmont Avenue.'' Sounds like a lot of avenues and streets coming together.

Again, Mr. Chairman, let's take stock of where we are: $1 trillion deficit, the largest in America's history. It will increase tenfold in just 2 years under this Democratic majority, a feat I do not believe that has ever been achieved in our Nation's history.

According to the Congressional Budget Office, again, appointed by Democrats, we will triple the national debt

in 10 years. More debt, more debt in the next 10 years, Mr. Chairman, than in the previous 220. Again, don't take my word for it; ask the Congressional Budget Office.

And so I have no doubt that this is a good use of money once again. I have no doubt that this great art museum could use this money, but I have a number of questions.

Number one, why is this a Federal responsibility? You know, why didn't this money go to the Dallas Museum of Art? How about the Museum of Modern Art in New York? How about the Art Institute in Chicago? How about the Legion of Honor Museum in San Francisco? How about the hundreds and hundreds, if not thousands, of other art museums in the Nation, are they not equally deserving, Mr. Chairman?

And if this is a Federal responsibility, is it really a Federal priority at a time when, under this Democratic majority, we now have the highest rate of unemployment that we've had in a quarter of a century—2.6 million more Americans unemployed since President Obama took office? Maybe, maybe our priority ought to be to try to create more jobs, and there are hundreds of thousands of small businesses, including many in the Fifth Congressional District of Texas that could benefit from that money and create jobs and preserve jobs.

And then, Mr. Chairman, if I concede the argument that somehow this is not only a Federal responsibility but a Federal priority, again, is it of equal priority to creating jobs? Is it of equal priority to the money that goes to the National Institutes of Health for cancer research? Is it of equal priority to setting up more rural clinics for our veterans' health care? I think not.

And although, again, I have no doubt that this is a good use of someone's funds, that at a time of $1 trillion deficit, at a time of the worst unemployment we have had in 25 years, you know, it just doesn't meet the test of the taxpayers and the struggling families in this Nation.

And, again, if we don't say ''no'' to somebody's project today, we cannot say ''yes'' to our children's future tomorrow.

And with that, I reserve the balance of my time.

Mr. BRADY of Pennsylvania. I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BRADY of Pennsylvania. I rise in opposition to the amendment.

The gentleman from Texas does not seem to understand that this money does not go to the art museum. The art museum is located in the city of Philadelphia, and it benefits the entire region. This isn't private property. It's a public street that runs around a city-owned building. The contracts for this work will be let by Pennsylvania's transportation department, administered by the city of the Philadelphia, and this is already an approved TIP project.

The museum is located in one of the most dangerous high-traffic areas in the city of of Philadelphia, where major roadways, as the gentleman indicated, I–76, Martin Luther King Drive, Kelly Drive, Schuylkill River Trails and the Ben Franklin Parkway converge. This area has proven to be extremely dangerous for drivers and pedestrians alike.

Just a month ago, a father and son were struck by an SUV, critically injuring them while biking on Martin Luther King Drive on the south side of the art museum. Such accidents are frightening and common in this area, as anyone who has visited the art museum can attest.

I requested funding for this earmark because it's vitally important for the safety and well-being of my constituents, as well as the millions of others who visit Philadelphia every year.

I fully support this amendment.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I certainly respect what the gentleman says, and he says that clearly I don't understand aspects of the project.

What he doesn't seem to understand is that the taxpayers in the Fifth Congressional District of Texas, frankly, don't want to pay for his transportation projects, and they have transportation needs of their own.

If this is such a priority, why doesn't the Commonwealth of Pennsylvania take it out of their share of the Federal Highway Trust Fund? Why doesn't the State of Pennsylvania take it from their taxpayers? Why doesn't the City of Philadelphia take it from their taxpayers, or maybe the art museum has to charge a little bit more so that the struggling taxpayers of the Fifth District of Texas and all over America don't have to pay more in taxes or borrow more money from the Chinese to help the art museum in Philadelphia.

I reserve the balance of my time.

Mr. BRADY of Pennsylvania. I yield 2 minutes to the gentleman from Pennsylvania, City of Philadelphia (Mr. FATTAH).

□ 1715

Mr. FATTAH. I rise in opposition to this amendment, and to support my colleague who has offered this very worthy project that's needed. The Philadelphia Art Museum is the finest art museum anywhere in the world, as far as I'm concerned, because I'm from the city of Philadelphia.

But I think we all know that it's critically important to invest in these needed infrastructure repairs, and I'm very happy that the committee saw fit to include this.

I'd hoped that we would at one point think about the real cost to our taxpayers of these amendments that are being offered. I think we probably have spent more than $750,000 on these amendments attacking earmarks, when in fact this is 1 percent of the bill. Even if this amendment passed, this money would not go against the deficit. This money would go to be spent in some other way.

So the point here is this is a needed project. I support it. I thank the chairman for including it. I thank my colleague from Philadelphia for his very effective fight to get this included in this transportation bill.

I think one thing that this amendment shows is that you're doing your job and working hard. And it benefits, like you said, the entire region.

I thank the gentleman for yielding time.

Mr. HENSARLING. Mr. Chairman, may I inquire how much time I have remaining and who has the right to close.

The CHAIR. The gentleman from Texas has 15 seconds. The gentleman from Texas does have the right to close. The gentleman from Pennsylvania has 2½ minutes.

Mr. HENSARLING. I reserve the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Chairman, I find it ironic that people think the citizens of Philadelphia and of Pennsylvania don't pay Federal taxes, but they do.

The reason why government was formed is to protect our citizens. So I thank the gentleman for offering his amendment, to allow me to stand here and represent my constituents, the constituents of the city of Philadelphia, in my district, and also to be able to do my job to show them I am bringing back resources to keep not only them safe, but to keep the millions of visitors, the children, everyone that does visit this art museum, keeping them safe. That's exactly what this funding would do.

Again, I ask for a ''no'' vote on this amendment.

I yield back the balance of my time.

Mr. HENSARLING. Mr. Chairman, I will just point out to the gentleman from Pennsylvania that, according to his own Web site, the recipient is the Philadelphia Museum of Art, again, one of America's great art museums.

But I don't want to borrow money from the Chinese to send the bill to my children and grandchildren at a time of a trillion-dollar deficit.

Start saving the pennies and nickels and perhaps the dollars.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. HENSARLING. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 111–219 on which further proceedings were postponed, in the following order:

Amendment No. 2 printed in part A by Mr. HENSARLING of Texas;

Amendment No. 3 printed in part A by Mr. LATHAM of Iowa;

Amendment No. 7 printed in part A by Mr. FRELINGHUYSEN of New Jersey;

Amendment No. 8 printed in part A by Mrs. BLACKBURN of Tennessee;

Amendment No. 10 printed in part A by Mr. JORDAN of Ohio;

Amendment No. 11 printed in part A by Mr. NEUGEBAUER of Texas;

Amendment No. 12 printed in part A by Mr. STEARNS of Florida;

Amendment No. 1 printed in part B by Mr. FLAKE of Arizona;

Amendment No. 4 printed in part B by Mr. FLAKE of Arizona;

Amendment No. 7 printed in part B by Mr. FLAKE of Arizona;

Amendment No. 8 printed in part B by Mr. FLAKE of Arizona;

Amendment No. 9 printed in part B by Mr. FLAKE of Arizona;

Amendment No. 10 printed in part B by Mr. FLAKE of Arizona;

Amendment No. 11 printed in part B by Mr. FLAKE of Arizona;

Amendment No. 3 printed in part C by Mr. HENSARLING of Texas;

Amendment No. 4 printed in part C by Mr. HENSARLING of Texas.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

PART A AMENDMENT NO. 2 OFFERED BY MR. HENSARLING

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. HENSARLING) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 152, noes 276, not voting 11, as follows:

[Roll No. 620]

AYES—152

Akin
Alexander
Bachmann
Bachus
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bono Mack
Boozman
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Carter
Cassidy
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Crenshaw
Culberson
Deal (GA)
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kratovil
Lamborn
Lance
Latham
Latta
Lee (NY)
Lewis (CA)
Linder
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Miller (FL)
Miller, Gary
Mitchell
Moran (KS)
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Polis (CO)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Richardson
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)

NOES—276

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Altmire
Andrews
Arcuri
Austria
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bonner
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Fortenberry
Frank (MA)
Fudge
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mollohan
Moore (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Peterson
Pierluisi
Pingree (ME)
Poe (TX)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Rodriguez
Rogers (AL)
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Sablan
Salazar
Sánchez, Linda T.
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Smith (NJ)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Wittman
Wolf
Woolsey
Wu
Yarmuth

NOT VOTING—11

Barrett (SC)
Bishop (UT)
Boustany
Hinojosa
Kaptur
McCarthy (NY)
Moore (WI)
Perriello
Platts
Ryan (OH)
Slaughter

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There are 2 minutes remaining on the vote.

□ 1743

Messrs. CAO, FILNER, TIM MURPHY of Pennsylvania, LEVIN, BERRY, Mrs. NAPOLITANO, Mr. McDERMOTT, Ms. CASTOR of Florida, Messrs. ORTIZ, GRIJALVA, BERMAN, ADERHOLT, and BAIRD changed their vote from ''aye'' to ''no.''

Messrs. NEUGEBAUER, THORNBERRY, CRENSHAW, TIAHRT, PETRI, EHLERS, KIRK, PUTNAM, DREIER, KING of New York, and BURGESS changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Ms. SLAUGHTER. Mr. Chair, on rollcall No. 620, had I been present, I would have voted "no."

PART A AMENDMENT NO. 3 OFFERED BY MR. LATHAM

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. LATHAM) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 136, noes 284, not voting 19, as follows:

[Roll No. 621]

AYES—136

Akin
Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Bilirakis
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)

Buyer
Calvert
Camp
Campbell
Capito
Carter
Cassidy
Chaffetz
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dreier
Duncan
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Gordon (TN)
Granger
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Herseth Sandlin
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson, Sam
Jones
Jordan (OH)
King (IA)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Lamborn
Lance
Latham
Latta
Lewis (CA)
Linder
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Miller (FL)
Moran (KS)
Neugebauer
Nunes
Olson
Paulsen
Pence
Petri
Pitts
Posey
Price (GA)
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Simpson
Smith (NE)
Smith (TX)
Stearns
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOES—284

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Boccieri
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Cantor
Cao
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Clyburn
Coble
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Gerlach
Giffords
Gonzalez
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matsui
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Platts
Poe (TX)
Polis (CO)
Pomeroy
Price (NC)
Putnam
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Rogers (AL)
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Space
Speier
Stark
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOT VOTING—19

Barrett (SC)
Bishop (UT)
Capuano
Cleaver
Davis (IL)
Dicks
Hall (NY)
Higgins
Israel
Johnson (IL)
Kennedy
Matheson
McCarthy (NY)
McHugh
Moore (WI)
Paul
Shea-Porter
Spratt
Terry

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining on the vote.

□ 1746

Mr. CARSON of Indiana changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PART A AMENDMENT NO. 7 OFFERED BY MR. FRELINGHUYSEN

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. FRELINGHUYSEN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 116, noes 313, not voting 10, as follows:

[Roll No. 622]

AYES—116

Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Bachus
Bartlett
Blackburn
Blunt
Boccieri
Bono Mack
Boren
Boustany
Brady (PA)
Brown-Waite, Ginny
Buchanan
Burgess
Buyer
Calvert
Campbell
Cantor
Carney
Cassidy
Clarke
Coffman (CO)
Cole
Conaway
Conyers
Dahlkemper
Delahunt
Doggett
Dreier
Edwards (TX)
Engel
Fattah
Forbes
Foxx
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gohmert
Hall (NY)
Harper
Hensarling
Himes
Hodes
Holt
Issa
Jackson-Lee (TX)
Johnson (IL)
Jones
Kanjorski
King (IA)
Kingston
Kirk
Kissell
Kosmas
Kucinich
Lamborn
Lance
Latta
Lewis (CA)
Lucas
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Massa
McCotter
McHugh
McKeon
McMorris Rodgers
Miller (FL)
Miller (NC)
Murphy (CT)
Murphy (NY)
Nunes
Pallone
Pascrell
Payne
Pitts
Platts
Posey
Price (GA)
Radanovich
Rehberg
Roe (TN)
Rothman (NJ)
Royce
Ryan (WI)
Scalise
Sensenbrenner
Sestak
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Terry
Thompson (PA)
Tierney
Tsongas
Turner
Visclosky
Walden
Wexler
Whitfield
Wilson (SC)
Wittman
Wolf
Young (FL)

NOES—313

Abercrombie
Ackerman
Aderholt
Austria
Baca
Bachmann
Baird
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boehner
Bonner
Boozman
Bordallo
Boswell
Boucher
Boyd
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Burton (IN)
Butterfield
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Carter
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Christensen
Chu
Clay
Cleaver
Clyburn
Coble
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Donnelly (IN)
Doyle
Driehaus
Duncan
Edwards (MD)
Ehlers
Ellison
Ellsworth
Emerson
Eshoo
Etheridge
Faleomavaega
Fallin
Farr
Filner
Flake
Fleming
Fortenberry
Foster
Frank (MA)
Franks (AZ)
Fudge
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (TX)
Halvorson
Hare
Harman
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hoekstra
Holden
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Jackson (IL)
Jenkins
Johnson (GA)
Johnson, E. B.
Jordan (OH)
Kagen
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirkpatrick (AZ)
Klein (FL)
Kline (MN)
Kratovil
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lynch
Mack
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McMahon

McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Norton
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pastor (AZ)
Paulsen
Perlmutter
Perriello
Peters
Peterson
Petri
Pierluisi
Pingree (ME)
Poe (TX)
Polis (CO)
Pomeroy
Price (NC)
Putnam
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Skelton
Smith (WA)
Snyder
Space
Speier
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Titus
Tonko
Towns
Upton
Van Hollen
Velázquez
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—10

Barrett (SC)
Bishop (UT)
Johnson, Sam
McCarthy (NY)
Moore (WI)
Myrick
Paul
Pence
Spratt
Sullivan

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining on the vote.

□ 1749

Mr. HALL of New York changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PART A AMENDMENT NO. 8 OFFERED BY MRS. BLACKBURN

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 252, not voting 6, as follows:

[Roll No. 623]

AYES—181

Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Arcuri
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Bean
Biggert
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly (IN)
Dreier
Driehaus
Duncan
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Lamborn
Lance
Latta
Lee (NY)
Linder
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy (NY)
Murphy, Patrick
Myrick
Neugebauer
Nunes
Nye
Olson
Paulsen
Pence
Peters
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Young (FL)

NOES—252

Abercrombie
Ackerman
Andrews
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bordallo
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E.B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCollum
McDermott
McGovern
McHugh
McIntyre
McMahon
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peterson
Pierluisi
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Space
Speier
Stark
Stupak
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—6

Barrett (SC)
Bishop (UT)
Johnson (GA)
McCarthy (NY)
Paul
Spratt

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining on the vote.

□ 1752

So the amendment was rejected.

The result of the vote was announced as above recorded.

PART A AMENDMENT NO. 10 OFFERED BY MR. JORDAN OF OHIO

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. JORDAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 145, noes 287, not voting 7, as follows:

[Roll No. 624]

AYES—145

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggert
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chaffetz
Coble
Coffman (CO)
Cole
Conaway

Crenshaw
Davis (KY)
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Emerson
Fallin
Flake
Fleming
Forbes
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
Kingston
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Lamborn
Lance
Latta
Lee (NY)
Lewis (CA)
Linder
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Nye
Olson
Paulsen
Pence
Pitts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Wamp
Westmoreland
Wilson (SC)
Wittman

NOES—287

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Buchanan
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCollum
McDermott
McGovern
McHugh
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pierluisi
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Rogers (KY)
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Space
Speier
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—7

Barrett (SC)
Bishop (UT)
Culberson
McCarthy (NY)
Paul
Price (NC)
Spratt

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining on the vote.

□ 1755

So the amendment was rejected.

The result of the vote was announced as above recorded.

PART A AMENDMENT NO. 11 OFFERED BY MR. NEUGEBAUER

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. NEUGEBAUER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 166, noes 267, not voting 6, as follows:

[Roll No. 625]

AYES—166

Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggert
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly (IN)
Dreier
Driehaus
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Lamborn
Lance
Latta
Lee (NY)
Lewis (CA)
Linder
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy (NY)
Myrick
Neugebauer
Nunes
Nye
Olson
Paulsen
Pence
Peters
Petri
Pitts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Upton
Wamp
Westmoreland
Wilson (SC)
Wittman
Young (FL)

NOES—267

Abercrombie
Ackerman
Adler (NJ)
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bordallo
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Buchanan
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Foster
Frank (MA)
Frelinghuysen
Fudge
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Massa
Matheson
Matsui
McCollum
McDermott
McGovern
McHugh
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (NC)
Miller, George

Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peterson
Pierluisi
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Rogers (KY)
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wolf
Wu
Yarmuth
Young (AK)

NOT VOTING—6

Barrett (SC)
Bishop (UT)
Conyers
McCarthy (NY)
Paul
Woolsey

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining on the vote.

□ 1758

So the amendment was rejected.

The result of the vote was announced as above recorded.

PART A AMENDMENT NO. 12 OFFERED BY MR. STEARNS

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. STEARNS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 152, noes 279, not voting 8, as follows:

[Roll No. 626]

AYES—152

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggert
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Emerson
Fallin
Flake
Fleming
Forbes
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Lamborn
Lance
Latta
Lee (NY)
Linder
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Nye
Olson
Paulsen
Pence
Petri
Pitts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Upton
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman

NOES—279

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Buchanan
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E.B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCollum
McDermott
McGovern
McHugh
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Rogers (KY)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—8

Barrett (SC)
Bishop (UT)
Marchant
McCarthy (NY)
McMahon
McMorris Rodgers
Paul
Ross

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). One minute remains on this vote.

□ 1801

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. McMAHON. Mr. Chair, on rollcall No. 626, I inadvertently voted "present", and I meant to vote "no."

PART B AMENDMENT NO. 1 OFFERED BY MR. FLAKE

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 108, noes 327, not voting 4, as follows:

[Roll No. 627]

AYES—108

Akin
Bachmann
Bartlett
Bilbray
Blackburn
Blunt
Boehner
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Buchanan
Burgess
Burton (IN)
Camp
Campbell
Cantor
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Conaway
Cooper
Deal (GA)
Duncan
Ehlers
Flake
Fleming
Forbes
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey (GA)
Goodlatte
Graves
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Israel
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
Kind
King (IA)

Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latta
Linder
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McMorris Rodgers
Miller (FL)
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Pence
Petri
Pitts
Posey
Price (GA)
Rehberg
Roe (TN)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Scalise
Schauer
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Smith (NE)
Stearns
Sullivan
Terry
Thornberry
Tiberi
Upton
Walden
Wamp
Westmoreland
Wilson (SC)
Wittman

NOES—327

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baird
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bonner
Bono Mack
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Buyer
Calvert
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Faleomavaega
Fallin
Farr
Fattah
Filner
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gohmert
Gonzalez
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E.B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (NY)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCollum
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Platts
Poe (TX)
Polis (CO)
Pomeroy
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rooney
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—4

Barrett (SC)
Bishop (UT)
McCarthy (NY)
Paul

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). One minute remains on the vote.

□ 1804

So the amendment was rejected.

The result of the vote was announced as above recorded.

PART B AMENDMENT NO. 4 OFFERED BY MR. FLAKE

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 105, noes 328, not voting 6, as follows:

[Roll No. 628]

AYES—105

Akin
Bachmann
Bartlett
Barton (TX)
Bean
Bilbray
Blackburn
Bono Mack
Boustany
Bright
Broun (GA)
Burgess
Burton (IN)
Campbell
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Conaway
Cooper
Deal (GA)
Ehlers
Fallin
Flake
Fleming
Fortenberry
Foster
Foxx
Franks (AZ)
Garrett (NJ)
Gohmert
Goodlatte
Graves
Hall (TX)
Harper
Heller
Hensarling
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
Kind
King (IA)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Lee (NY)
Linder
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McMahon
Miller (FL)
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Nye
Olson
Paulsen
Pence
Petri
Pitts
Poe (TX)
Price (GA)
Roe (TN)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schauer
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Souder
Stearns
Sullivan
Terry
Thornberry
Upton
Walden
Wamp
Westmoreland
Wilson (SC)

NOES—328

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Boozman
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Forbes
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Giffords
Gingrey (GA)
Gonzalez
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Hastings (WA)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (NY)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCollum
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson

Pierluisi
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—6

Barrett (SC)
Bishop (UT)
Gerlach
Herger
McCarthy (NY)
Paul

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). One minute remains in this vote.

□ 1807

So the amendment was rejected.

The result of the vote was announced as above recorded.

PART B AMENDMENT NO. 7 OFFERED BY MR. FLAKE

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 124, noes 310, not voting 5, as follows:

[Roll No. 629]

AYES—124

Akin
Austria
Bachmann
Bartlett
Bean
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Burgess
Burton (IN)
Campbell
Cantor
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Conaway
Cooper
Deal (GA)
Dent
Duncan
Ehlers
Fallin
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Graves
Guthrie
Hall (TX)
Halvorson
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
Kind
King (IA)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latta
Linder
Luetkemeyer
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McMorris Rodgers
Mica
Miller (FL)
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Price (GA)
Putnam
Roe (TN)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schauer
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Souder
Stearns
Sullivan
Taylor
Terry
Thornberry
Tiberi
Upton
Walden
Wamp
Westmoreland
Wilson (SC)
Wittman

NOES—310

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Barton (TX)
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bonner
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Buyer
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gonzalez
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (NY)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCollum
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Polis (CO)
Pomeroy
Posey
Price (NC)
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—5

Barrett (SC)
Bishop (UT)
Lummis
McCarthy (NY)
Paul

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). One minute remains on this vote.

□ 1810

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. LUMMIS. Mr. Chair, on rollcall No. 629, I was detained unavoidably. Had I been present, I would have voted "aye."

PART B AMENDMENT NO. 8 OFFERED BY MR. FLAKE

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 125, noes 310, not voting 4, as follows:

[Roll No. 630]

AYES—125

Akin
Austria
Bachmann
Bartlett
Barton (TX)
Bean
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown-Waite, Ginny
Burgess
Burton (IN)
Campbell
Cantor
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Conaway
Cooper
Davis (KY)
Deal (GA)
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Graves
Hall (TX)
Halvorson
Harper
Heller

Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
Kind
King (IA)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latta
Linder
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McMorris Rodgers
Miller (FL)
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Price (GA)
Putnam
Roe (TN)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schauer
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiberi
Upton
Walden
Wamp
Westmoreland
Wilson (SC)
Wittman
Young (FL)

NOES—310

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bonner
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Buchanan
Butterfield
Buyer
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gonzalez
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hastings (WA)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (NY)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCollum
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Polis (CO)
Pomeroy
Posey
Price (NC)
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—4

Barrett (SC)
Bishop (UT)
McCarthy (NY)
Paul

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). One minute remains in this vote.

□ 1813

So the amendment was rejected.

The result of the vote was announced as above recorded.

PART B AMENDMENT NO. 9 OFFERED BY MR. FLAKE

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 98, noes 331, not voting 10, as follows:

[Roll No. 631]

AYES—98

Akin
Austria
Bachmann
Bean
Bilbray
Blackburn
Boehner
Bono Mack
Boustany
Bright
Broun (GA)
Burgess
Burton (IN)
Campbell
Cantor
Cassidy
Chaffetz
Coffman (CO)
Conaway
Cooper
Deal (GA)
Fallin
Flake
Fleming
Fortenberry
Foster
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Graves
Harper
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson, Sam
Jordan (OH)
Kind
Kingston
Kline (MN)
Lamborn
Lance
Latta
Lee (NY)
Linder
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul
McClintock
McCotter
McHenry
McMahon
Miller (FL)
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Nye
Olson
Paulsen
Pence
Petri
Pitts
Poe (TX)
Price (GA)
Roe (TN)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schauer
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Sullivan
Thornberry
Wamp
Westmoreland
Wilson (SC)

NOES—331

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boccieri
Bonner
Boozman
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Buyer
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castle
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Forbes
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gonzalez
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Hastings (FL)
Hastings (WA)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (IL)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam

Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—10

Barrett (SC)
Bishop (UT)
Doggett
Holt
Johnson (GA)
King (IA)
McCarthy (NY)
Miller (NC)
Paul
Terry

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). One minute remains in the vote.

□ 1816

So the amendment was rejected.

The result of the vote was announced as above recorded.

PART B AMENDMENT NO. 10 OFFERED BY MR. FLAKE

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 105, noes 329, not voting 5, as follows:

[Roll No. 632]

AYES—105

Akin
Austria
Bachmann
Bartlett
Bilbray
Blackburn
Blunt
Boehner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Burgess
Burton (IN)
Campbell
Cantor
Cassidy
Castle
Coble
Coffman (CO)
Conaway
Deal (GA)
Duncan
Ehlers
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Graves
Hall (TX)
Heller
Hensarling
Herger
Hoekstra
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
Kind
King (IA)
Kirk
Kline (MN)
Lamborn
Lance
Latta
Linder
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McMorris Rodgers
Miller (FL)
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Pence
Petri
Pitts
Poe (TX)
Price (GA)
Roe (TN)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Scalise
Schauer
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiberi
Upton
Walden
Wamp
Westmoreland
Wilson (SC)
Wittman

NOES—329

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bonner
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Buyer
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chaffetz
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gonzalez
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (NY)
Kingston
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lynch
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCollum
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rooney
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—5

Barrett (SC)
Bishop (UT)
Franks (AZ)
McCarthy (NY)
Paul

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining on the vote.

□ 1819

So the amendment was rejected.

The result of the vote was announced as above recorded.

PART B AMENDMENT NO. 11 OFFERED BY MR. FLAKE

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 105, noes 329, not voting 5, as follows:

[Roll No. 633]

AYES—105

Akin
Austria
Bachmann
Bartlett
Bilbray
Blackburn
Boehner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Burgess
Burton (IN)
Campbell
Cantor
Cassidy
Chaffetz
Coffman (CO)
Conaway
Cooper
Deal (GA)
Duncan
Ehlers
Fallin
Flake
Fleming
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey (GA)
Goodlatte
Graves
Harper
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
Kind
King (IA)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latta
Linder
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McMorris Rodgers
Miller (FL)
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Paulsen
Pence
Petri

Pitts
Poe (TX)
Price (GA)
Radanovich
Roe (TN)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiberi
Walden
Wamp
Westmoreland
Wilson (SC)
Wittman

NOES—329

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boccieri
Bonner
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Buyer
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castle
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Forbes
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gohmert
Gonzalez
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Hastings (FL)
Hastings (WA)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (NY)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lynch
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCollum
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—5

Barrett (SC)
Bishop (UT)
McCarthy (NY)
Paul
Sablan

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining on the vote.

□ 1822

So the amendment was rejected.

The result of the vote was announced as above recorded.

PART C AMENDMENT NO. 3 OFFERED BY MR. HENSARLING

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. HENSARLING) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 124, noes 309, not voting 6, as follows:

[Roll No. 634]

AYES—124

Akin
Austria
Bachmann
Bartlett
Barton (TX)
Biggert
Bilirakis
Blackburn
Boehner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Campbell
Cantor
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Conaway
Cooper
Deal (GA)
Dent
Duncan
Ehlers
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett (NJ)
Gerlach
Gingrey (GA)
Goodlatte
Granger
Graves
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
LaTourette
Latta
Linder
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Paulsen
Pence
Petri
Pitts
Platts
Price (GA)
Radanovich
Roe (TN)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Upton
Walden
Wamp
Westmoreland
Wilson (SC)
Wittman
Young (AK)

NOES—309

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boccieri
Bonner
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Butterfield
Buyer
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Emerson
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Giffords
Gohmert
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lynch
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCollum
McDermott
McGovern
McHugh
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes

Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NOT VOTING—6

Barrett (SC)
Bilbray
Bishop (UT)
Ellsworth
McCarthy (NY)
Paul

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining on the vote.

□ 1825

So the amendment was rejected.

The result of the vote was announced as above recorded.

PART C AMENDMENT NO. 4 OFFERED BY MR. HENSARLING

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. HENSARLING) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 109, noes 326, not voting 4, as follows:

[Roll No. 635]

AYES—109

Akin
Bachmann
Bartlett
Barton (TX)
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bono Mack
Boozman
Boustany
Bright
Broun (GA)
Burgess
Burton (IN)
Campbell
Cantor
Cassidy
Chaffetz
Coble
Coffman (CO)
Conaway
Cooper
Davis (KY)
Deal (GA)
Duncan
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey (GA)
Goodlatte
Graves
Hall (TX)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
King (IA)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latta
Linder
Luetkemeyer
Lummis
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Miller (FL)
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Paulsen
Pence
Petri
Pitts
Posey
Price (GA)
Radanovich
Roe (TN)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Scalise
Schauer
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Walden
Wamp
Westmoreland
Wilson (SC)
Wittman

NOES—326

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bonner
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Buyer
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castle
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gohmert
Gonzalez
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lungren, Daniel E.
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCollum
McDermott
McGovern
McHugh
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Platts
Poe (TX)
Polis (CO)
Pomeroy
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rooney
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—4

Barrett (SC)
Bishop (UT)
McCarthy (NY)
Paul

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). One minute remains in this vote.

□ 1828

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIR. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010''.

The CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WEINER) having assumed the chair, Mr. SNYDER, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3288) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, pursuant to House Resolution 669, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Pursuant to House Resolution 669, the question on adoption of the amendments will be put en gros.

The question is on the amendments.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. LATHAM. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. LATHAM. In its current form, I am.

Mr. OLVER. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. The gentleman reserves a point of order.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Latham moves to recommit the bill H.R. 3288 to the Committee on Appropriations with instructions to report the same

back to the House forthwith with the following amendment:

Page 4, strike lines 11 through 16, and insert the following:

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $10,233,000.

Page 7, strike line 16 and all that follows through line 23 on page 10, and insert the following:

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 108–176, $9,335,798,000, of which $5,190,798,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed $7,300,739,000 shall be available for air traffic organization activities; not to exceed $1,231,765,000 shall be available for aviation safety activities; not to exceed $14,737,000 shall be available for commercial space transportation activities; not to exceed $113,681,000 shall be available for financial services activities; not to exceed $100,428,000 shall be available for human resources program activities; not to exceed $330,607,000 shall be available for region and center operations and regional coordination activities; not to exceed $190,063,000 shall be available for staff offices; and not to exceed $49,778,000 shall be available for information services: *Provided*, That not to exceed 2 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation by more than 2 percent: *Provided further*, That any transfer in excess of 2 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That the Secretary utilize not less than $17,084,000 of the funds provided for aviation safety activities to pay for staff increases in the Office of Aviation Flight Standards and the Office of Aircraft Certification: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108–176: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation as offsetting collections funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, including funds from fees authorized under Chapter 453 of title 49, United States Code, other than those authorized by Section 45301(a)(1) of that title, which shall be available for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, not less than $9,500,000 shall be for the contract tower cost-sharing program: *Provided further*, That of the funds available under this heading not to exceed $500,000 shall be provided to the Department of Transportation's Office of Inspector General through reimbursement to conduct the annual audits of financial statements in accordance with section 3521 of title 31, United States Code, and not to exceed $120,000 shall be provided to that office through reimbursement to conduct the annual Enterprise Services Center Statement on Auditing Standards 70 audit: *Provided further*, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund.

Page 12, strike lines 12 through 25, and insert the following:

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $180,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2012: *Provided*, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development.

Page 38, strike lines 1 through 15, and insert the following:

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under subtitle C of title X of Public Law 109–59 and chapter 301 and part C of subtitle VI of title 49, United States Code, $129,774,000, of which $32,045,000 shall remain available until September 30, 2011: Provided, That none of the funds appropriated by this Act may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the three grading standards (treadwear, traction, and temperature resistance) already in effect.

Page 39, strike line 21 and all that follows through line 2 on page 40.

Page 42, strike lines 18 through 23, and insert the following:

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $168,770,000 of which $15,300,000 shall remain available until September 30, 2011.

Page 44, strike line 1 and all that follows through line 13 on page 46, and insert the following:

CAPITAL ASSISTANCE FOR HIGH SPEED RAIL CORRIDORS AND INTERCITY PASSENGER RAIL SERVICE

To enable the Secretary of Transportation to make passenger rail grants for capital projects as authorized under sections 26106 and 24406 of title 49, United States Code; the acquisition of new rolling stock; and to enter into cooperative agreements for these purposes, $1,000,000,000, to remain available until September 30, 2015: *Provided*, That $50,000,000 of funds provided under this paragraph are available to the Administrator of the Federal Railroad Administration to fund the award and oversight of financial assistance made under this paragraph: *Provided further*, That up to $30,000,000 of the funds provided under this paragraph are available to the Administrator for the purposes of conducting research and demonstrating technologies supporting the development of passenger rail service that is expected to maintain an average speed of 110 miles per hour or is reasonably expected to reach speeds of at least 150 miles per hour, including the implementation of the Rail Cooperative Research Program authorized by section 24910 of title 49, United States Code: *Provided further*, That up to $50,000,000 of the funds provided under this paragraph may be used for planning activities that lead directly to the development of a passenger rail corridor investment plan consistent with the requirements established by the Administrator or a state rail plan consistent with chapter 227 of title 49, United States Code: *Provided further*, That the Secretary shall issue regulations covering application procedures and grant criteria for the passenger rail grants provided under this paragraph: *Provided further*, That the Federal share payable of the costs for which financial assistance is made under this paragraph shall not exceed 80 percent: *Provided further*, That in addition to the provisions of title 49, United States Code, that apply to the passenger rail programs funded under this paragraph, sections 24402(a)(2), 24402(f), 24402(i), and 24403(a) and (c) of title 49, United States Code, shall also apply to the provision of funds provided under this paragraph: *Provided further*, That a project need not be in a state rail plan developed under chapter 227 of title 49, United States Code, to be eligible for assistance under this heading: *Provided further*, That up to $5,000,000 of the funds provided under this paragraph are available to the Administrator for the purposes of implementing section 24316 of title 49, United States Code.

Page 62, strike lines 11 through 21, and insert the following:

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

(PIPELINE SAFETY FUND)

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, $18,968,000, of which $639,000 shall be derived from the Pipeline Safety Fund: *Provided*, That $1,000,000 shall be transferred to ''Pipeline Safety'' in order to fund ''Pipeline Safety Information Grants to Communities'' as authorized under section 60130 of title 49, United States Code.

Page 62, strike line 22 and all that follows through line 11 on page 63, and insert the following:

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $35,500,000, of which $2,699,000

shall remain available until September 30, 2012: *Provided*, That up to $800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from states, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

Page 65, strike line 19 and all that follows through line 8 on page 66, and insert the following:

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $27,032,000: *Provided*, That notwithstanding any other provision of law, not to exceed $1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2010, to result in a final appropriation from the general fund estimated at no more than $25,782,000.

Page 78, strike line 6 and all that follows through line 7 on page 85, and insert the following:

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 143711 et seq.) (''the Act'' herein), not otherwise provided for, $13,911,000,000, to remain available until expended, shall be available on October 1, 2009 (in addition to the $4,000,000,000 previously appropriated under this heading that will become available on October 1, 2009), and $4,000,000,000, to remain available until expended, shall be available on October 1, 2010: *Provided*, That the amounts made available under this heading are provided as follows:

(1) $16,189,200,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose vouchers initially funded in fiscal year 2008 and 2009 (such as Family Unification, Veterans Affairs Supportive Housing Vouchers and Nonelderly Disabled Vouchers): *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2010 funding cycle shall provide renewal funding for each public housing agency based on voucher management system (VMS) leasing and cost data for the most recent Federal fiscal year and by applying the most recent Annual Adjustment Factor as established by the Secretary, and by making any necessary adjustments for the costs associated with deposits to family self-sufficiency program escrow accounts or first-time renewals including tenant protection or HOPE VI vouchers: *Provided further*, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this Act), pro rate each public housing agency's allocation otherwise established pursuant to this paragraph: *Provided further*, That except as provided in the last two provisos, the entire amount specified under this paragraph (except as otherwise modified under this Act) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget not later than 60 days after enactment of this Act: *Provided further*, That the Secretary may extend the 60-day notification period with the written approval of the House and Senate Committees on Appropriations: *Provided further*, That public housing agencies participating in the Moving to Work demonstration shall be funded pursuant to their Moving to Work agreements and shall be subject to the same pro rata adjustments under the previous provisos: *Provided further*, That up to $150,000,000 shall be available only: (1) to adjust the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of tenant-based rental assistance resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for adjustments for public housing agencies with voucher leasing rates at the end of the calendar year that exceed the average leasing for the 12-month period used to establish the allocation; (3) for adjustments for the costs associated with VASH vouchers; or (4) for vouchers that were not in use during the 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act.

(2) $103,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104–134), conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106–569, as amended, or under the authority as provided under this Act: *Provided*, That the Secretary may provide replacement vouchers for all units that were occupied within the previous 24 months that cease to be available as assisted housing, subject to the availability of funds.

(3) $1,493,800,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $50,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, Veterans Affairs Supportive Housing vouchers, and other incremental vouchers: *Provided*, That no less than $1,443,800,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2010 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276): *Provided further*, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, for fiscal year 2009 and prior fiscal years, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities.

(4) $75,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: *Provided*, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 204 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: *Provided further*, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: *Provided further*, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over.

(5) $50,000,000 shall be for family self-sufficiency coordinators under section 23 of the Act.

Page 85, strike line 21 and all that follows through line 14 on page 87, and insert the following:

PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the ''Act'') $2,244,000,000, to remain available until September 30, 2013: *Provided*, That notwithstanding any other provision of law or regulation, during fiscal year 2010 the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian

Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: *Provided further*, That for purposes of such section 9(j), the term ''obligate'' means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: *Provided further*, That up to $15,345,000 shall be to support the ongoing Public Housing Financial and Physical Assessment activities of the Real Estate Assessment Center (REAC): *Provided further*, That of the total amount provided under this heading, not to exceed $20,000,000 shall be available for the Secretary to make grants, notwithstanding section 204 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters, excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.), occurring in fiscal year 2010: *Provided further*, That of the total amount provided under this heading, $50,000,000 shall be for supportive services, service coordinators and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437z–6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): *Provided further*, That of the total amount provided under this heading, up to $8,820,000 is to support the costs of administrative and judicial receiverships: *Provided further*, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2010 to public housing agencies that are designated high performers.

Page 87, strike lines 15 through 19, and insert the following:

PUBLIC HOUSING OPERATING FUND

For 2010 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), $4,600,000,000.

Page 88, strike line 13 and all that follows through line 23 on page 89, and insert the following:

NATIVE AMERICAN HOUSING BLOCK GRANTS

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), $645,000,000, to remain available until expended: *Provided*, That, notwithstanding the Native American Housing Assistance and Self-Determination Act of 1996, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single race Census data and with the need component based on multi-race Census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That of the amounts made available under this heading, $3,500,000 shall be contracted for assistance for a national organization representing Native American housing interests for providing training and technical assistance to Indian housing authorities and tribally designated housing entities as authorized under NAHASDA; and $4,250,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance in the training, oversight, and management of such Indian housing and tenant-based assistance, including up to $300,000 for related travel: *Provided further*, That of the amount provided under this heading, $2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $18,000,000.

Page 90, strike lines 1 through 9, and insert the following:

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), $10,000,000, to remain available until expended: *Provided*, That of this amount, $300,000 shall be for training and technical assistance activities, including up to $100,000 for related travel by Hawaii-based HUD employees.

Page 91, strike lines 12 through 24, and insert the following:

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), $310,000,000, to remain available until September 30, 2011, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2012: *Provided*, That the Secretary shall renew all expiring contracts for permanent supportive housing that were funded under section 854(c)(3) of such Act that meet all program requirements before awarding funds for new contracts and activities authorized under this section.

Page 92, strike line 1 and all that follows through line 16 on page 95, and insert the following:

COMMUNITY DEVELOPMENT FUND

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $4,450,000,000, to remain available until September 30, 2012, unless otherwise specified: *Provided*, That of the total amount provided, $4,016,000,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (the ''Act'' herein) (42 U.S.C. 5301 et seq.): *Provided further*, That unless explicitly provided for under this heading (except for planning grants provided in the second paragraph and amounts made available under the third paragraph), not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further*, That $65,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 204 of this Act), up to $3,960,000 may be used for emergencies that constitute imminent threats to health and safety.

Of the amount made available under this heading, $151,000,000 shall be available for grants for the Economic Development Initiative (EDI) to finance a variety of targeted economic investments in accordance with the terms and conditions specified in the explanatory statement accompanying this Act: *Provided*, That none of the funds provided under this paragraph may be used for program operations: *Provided further*, That, for fiscal years 2008, 2009 and 2010, no unobligated funds for EDI grants may be used for any purpose except acquisition, planning, design, purchase of equipment, revitalization, redevelopment or construction.

Of the amount made available under this heading, $18,000,000 shall be available for neighborhood initiatives that are utilized to improve the conditions of distressed and blighted areas and neighborhoods, to stimulate investment, economic diversification, and community revitalization in areas with population outmigration or a stagnating or declining economic base, or to determine whether housing benefits can be integrated more effectively with welfare reform initiatives: *Provided*, That amounts made available under this paragraph shall be provided in accordance with the terms and conditions specified in the explanatory statement accompanying this Act.

The referenced statement of the managers under this heading ''Community Planning and Development'' in title II of division K of Public Law 110–161 is deemed to be amended by striking ''Custer County, ID for acquisition of an unused middle school building'' and inserting ''Custer County, ID, to construct a community center''.

The referenced statement of the managers under this heading ''Community Planning and Development'' in title II of division I of Public Law 111–8 is deemed to be amended by striking ''Custer County, ID, to purchase a middle school building'' and inserting ''Custer County, ID, to construct a community center''.

Of the amounts made available under this heading, $150,000,000 shall be made available for a Sustainable Communities Initiative to stimulate improved regional planning efforts that integrate housing and transportation decisions, and to challenge communities to reform zoning and land use ordinances: *Provided*, That $100,000,000 shall be for Regional Planning Grants to support the linking of transportation and land use planning: *Provided further*, That $40,000,000 shall be for Metropolitan Challenge Grants to foster reform and reduce barriers to achieve affordable, economically vital, and sustainable communities: *Provided further*, That up to $10,000,000 shall be for a joint Department of Housing and Urban Development and Department of Transportation research effort that shall include a rigorous evaluation of the Regional Planning Grants and Metropolitan Challenge Grants programs: *Provided further*, That of the amounts made available under this heading, $25,000,000 shall be made available for the Rural Innovation Fund to address the problems of concentrated rural housing distress and community poverty: *Provided further*, That of the amounts made available under this heading, $25,000,000 shall be made available for the University Community Fund for grants to assist universities in revitalizing their surrounding communities, with special attention to Historically Black Colleges and Universities, Tribal Colleges and Universities, Alaska Native/Native Hawaiian Institutions, and Hispanic-Serving Institutions: *Provided further*, That the Secretary shall develop and publish guidelines for the use of such competitive funds including, but not limited to, eligibility criteria, minimum grant amounts, and performance metrics.

Page 96, strike lines 6 through 14.

Page 96, strike line 15 and all that follows through line 2 on page 97, and insert the following:

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME investment partnerships program, as authorized under title II of the

Cranston-Gonzalez National Affordable Housing Act, as amended (42 U.S.C. 12721 et seq.), $1,825,000,000, to remain available until September 30, 2012: *Provided,* That funds provided in prior appropriations Acts for technical assistance, that were made available for Community Housing Development Organizations technical assistance, and that still remain available, may be used for HOME technical assistance notwithstanding the purposes for which such amounts were appropriated.

Page 97, strike lines 3 through 23, and insert the following:

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended (42 U.S.C. 12805 note), $77,000,000, to remain available until September 30, 2012: *Provided,* That of the total amount provided under this heading, $27,000,000 shall be made available to the Self-Help and Assisted Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further,* That $46,500,000 shall be made available for the second, third and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than $10,000,000 may be made available for rural capacity building activities: *Provided further,* That $3,500,000 shall be made available for capacity building activities as authorized in sections 6301 through 6305 of Public Law 110–246.

Page 98, strike line 1 and all that follows through line 2 on page 100, and insert the following:

HOMELESS ASSISTANCE GRANTS

For the emergency shelter grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the supportive housing program as authorized under subtitle C of title IV of such Act; the section 8 moderate rehabilitation single room occupancy program as authorized under the United States Housing Act of 1937, as amended, to assist homeless individuals pursuant to section 441 of the McKinney-Vento Homeless Assistance Act; and the shelter plus care program as authorized under subtitle F of title IV of such Act, $1,793,715,000, of which $1,788,715,000 shall remain available until September 30, 2012, and of which $5,000,000 shall remain available until expended for rehabilitation projects with 10–year grant terms: *Provided,* That not less than 30 percent of funds made available, excluding amounts provided for renewals under the shelter plus care program shall be used for permanent housing for individuals and families: *Provided further,* That all funds awarded for services shall be matched by not less than 25 percent in funding by each grantee: *Provided further,* That for all match requirements applicable to funds made available under this heading for this fiscal year and prior years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless there is (or was) a specific statutory prohibition on any such use of any such funds: *Provided further,* That the Secretary shall renew on an annual basis expiring contracts or amendments to contracts funded under the shelter plus care program if the program is determined to be needed under the applicable continuum of care and meets appropriate program requirements and financial standards, as determined by the Secretary: *Provided further,* That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible, including Medicaid, State Children's Health Insurance Program, Temporary Assistance for Needy Families, Food Stamps, and services funding through the Mental Health and Substance Abuse Block Grant, Workforce Investment Act, and the Welfare-to-Work grant program: *Provided further,* That up to $8,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project and technical assistance: *Provided further,* That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Shelter Plus Care renewals in fiscal year 2010.

Page 100, strike line 3 and all that follows through line 10 on page 102, and insert the following:

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (''the Act''), not otherwise provided for, $7,706,328,000, to remain available until expended, shall be available on October 1, 2009, and $393,672,000, to remain available until expended, shall be available on October 1, 2010: *Provided,* That the amounts made available under this heading are provided as follows:

(1) Up to $7,868,000,000 shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph.

(2) Not less than $232,000,000 but not to exceed $258,000,000 shall be available for performance-based contract administrators for section 8 project-based assistance: *Provided,* That the Secretary of Housing and Urban Development may also use such amounts for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z–1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q(c)(2)); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667).

(3) Amounts recaptured under this heading, the heading ''Annual Contributions for Assisted Housing'', or the heading ''Housing Certificate Fund'' may be used for renewals of or amendments to section 8 project-based contracts or for performance based contract administrators, notwithstanding the purposes for which such amounts were appropriated.

Page 102, strike line 11 and all that follows through line 6 on page 104, and insert the following:

HOUSING FOR THE ELDERLY

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959 (12 U.S.C. 1701(q)), as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing, $765,000,000, to remain available until September 30, 2013, of which up to $637,000,000 shall be for capital advance and project based rental assistance awards: *Provided,* That, of the amount provided under this heading, up to $90,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects, and of which up to $25,000,000 shall be for grants under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q–2) for conversion of eligible projects under such section to assisted living or related use and for substantial and emergency capital repairs as determined by the Secretary: *Provided further,* That of the amount made available under this heading, $20,000,000 shall be available to the Secretary of Housing and Urban Development only for making competitive grants to private nonprofit organizations and consumer cooperatives for covering costs of architectural and engineering work, site control, and other planning relating to the development of supportive housing for the elderly that is eligible for assistance under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q): *Provided further,* That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 capital advance projects: *Provided further,* That up to $2,000,000 of the total amount made available under this heading shall be for technical assistance to improve grant applications and to facilitate the development of housing for the elderly under section 202 of the Housing Act of 1959, and supportive housing for persons with disabilities under section 811 of the Cranston-Gonzalez National Affordable Housing Act: *Provided further,* That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration.

Page 104, strike line 7 and all that follows through line 14 on page 105, and insert the following:

HOUSING FOR PERSONS WITH DISABILITIES

For capital advance contracts, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, and for tenant-based rental assistance contracts entered into pursuant to section 811 of such Act, $250,000,000, of which up to $114,000,000 shall be for capital advances and project-based rental assistance

contracts, to remain available until September 30, 2013:

Provided further, That, of the amount provided under this heading, $87,100,000 shall be for amendments or renewal of tenant-based assistance contracts entered into prior to fiscal year 2005 (only one amendment authorized for any such contract): *Provided further*, That all tenant-based assistance made available under this heading shall continue to remain available only to persons with disabilities: *Provided further*, That the Secretary may waive the provisions of section 811 governing the terms and conditions of project rental assistance and tenant-based assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 Capital Advance Projects.

Page 146, strike line 20 and all that follows through line 4 on page 47, and insert the following:

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $7,000,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

Page 147, strike line 16 and all that follows through line 8 on page 148, and insert the following:

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902) $95,400,000 of which not to exceed $2,000 may be used for official reception and representation expenses. The amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments on an obligation incurred in fiscal year 2001 for a capital lease. Of the funds provided, up to $100,000 shall be provided through reimbursement to the Department of Transportation's Office of Inspector General to audit the National Transportation Safety Board's financial statements.

Page 148, strike line 9 and all that follows through line 8 on page 153, and insert the following:

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $133,000,000: *Provided*, That Section 605(a) of the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8104(a)) is amended by adding at the end of the first sentence, prior to the period, '', except that the board-appointed officers may be paid salary at a rate not to exceed level II of the Executive Schedule'': *Provided further*, That in addition, $33,800,000 shall be made available until expended to the Neighborhood Reinvestment Corporation for mortgage foreclosure mitigation activities, under the following terms and conditions:

(1) The Neighborhood Reinvestment Corporation (''NRC''), shall make grants to counseling intermediaries approved by the Department of Housing and Urban Development (HUD) (with match to be determined by the NRC based on affordability and the economic conditions of an area; a match also may be waived by the NRC based on the aforementioned conditions) to provide mortgage foreclosure mitigation assistance primarily to States and areas with high rates of defaults and foreclosures primarily in the subprime housing market to help eliminate the default and foreclosure of mortgages of owner-occupied single-family homes that are at risk of such foreclosure. Other than areas with high rates of defaults and foreclosures, grants may also be provided to approved counseling intermediaries based on a geographic analysis of the Nation by the NRC which determines where there is a prevalence of subprime mortgages that are risky and likely to fail, including any trends for mortgages that are likely to default and face foreclosure. A State Housing Finance Agency may also be eligible where the State Housing Finance Agency meets all the requirements under this paragraph. A HUD-approved counseling intermediary shall meet certain mortgage foreclosure mitigation assistance counseling requirements, as determined by the NRC, and shall be approved by HUD or the NRC as meeting these requirements.

(2) Mortgage foreclosure mitigation assistance shall only be made available to homeowners of owner-occupied homes with mortgages in default or in danger of default. These mortgages shall likely be subject to a foreclosure action and homeowners will be provided such assistance that shall consist of activities that are likely to prevent foreclosures and result in the long-term affordability of the mortgage retained pursuant to such activity or another positive outcome for the homeowner. No funds made available under this paragraph may be provided directly to lenders or homeowners to discharge outstanding mortgage balances or for any other direct debt reduction payments.

(3) The use of Mortgage Foreclosure Mitigation Assistance by approved counseling intermediaries and State Housing Finance Agencies shall involve a reasonable analysis of the borrower's financial situation, an evaluation of the current value of the property that is subject to the mortgage, counseling regarding the assumption of the mortgage by another non-Federal party, counseling regarding the possible purchase of the mortgage by a non-Federal third party, counseling and advice of all likely restructuring and refinancing strategies or the approval of a workout strategy by all interested parties.

(4) NRC may provide up to 15 percent of the total funds under this paragraph to its own charter members with expertise in foreclosure prevention counseling, subject to a certification by the NRC that the procedures for selection do not consist of any procedures or activities that could be construed as an unacceptable conflict of interest or have the appearance of impropriety.

(5) HUD-approved counseling entities and State Housing Finance Agencies receiving funds under this paragraph shall have demonstrated experience in successfully working with financial institutions as well as borrowers facing default, delinquency and foreclosure as well as documented counseling capacity, outreach capacity, past successful performance and positive outcomes with documented counseling plans (including post mortgage foreclosure mitigation counseling), loan workout agreements and loan modification agreements. NRC may use other criteria to demonstrate capacity in underserved areas.

(6) Of the total amount made available under this paragraph, up to $3,000,000 may be made available to build the mortgage foreclosure and default mitigation counseling capacity of counseling intermediaries through NRC training courses with HUD-approved counseling intermediaries and their partners, except that private financial institutions that participate in NRC training shall pay market rates for such training.

(7) Of the total amount made available under this paragraph, up to 4 percent may be used for associated administrative expenses for the NRC to carry out activities provided under this section.

(8) Mortgage foreclosure mitigation assistance grants may include a budget for outreach and advertising, and training, as determined by the NRC.

(9) The NRC shall report bi-annually to the House and Senate Committees on Appropriations as well as the Senate Banking Committee and House Financial Services Committee on its efforts to mitigate mortgage default. Such reports shall identify successful strategies and methods for preserving homeownership and the long-term affordability of at risk mortgages and shall include recommended efforts that will or likely can assist in the success of this program as well as an analysis of any policy and procedures that failed to result in successful mortgage foreclosure mitigation. The report shall include an analysis of the details and use of any post mitigation counseling of assisted borrowers designed to ensure the continued long-term affordability of the mortgages which were the subject of the mortgage foreclosure mitigation assistance.

Mr. OLVER (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

Mr. ISSA. Objection.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue to read.

The Clerk continued to read.

Mr. LATHAM (during the reading.) Mr. Speaker, I withdraw the motion to recommit.

The SPEAKER pro tempore. The motion to recommit is withdrawn.

MOTION TO RECOMMIT

Mr. LATHAM. Mr. Speaker, I have a motion to recommit at the desk.

Mr. OLVER. Mr. Speaker, I reserve a point of order on the motion.

The SPEAKER pro tempore. The point of order is reserved.

Is the gentleman opposed to the bill?

Mr. LATHAM. In its present form, I am, yes.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Latham moves to recommit the bill H.R. 3288 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Page 4, line 16, after the dollar amount insert ''(reduced by $4,500,000)''.

Page 8, line 3, after the dollar amount insert ''(reduced by $11,370,000)''.

Page 8, line 13, after the dollar amount insert ''(reduced by $11,370,000)''.

Page 12, line 19, after the dollar amount insert ''(reduced by $15,000,000)''.

Page 38, line 7, after the first dollar amount insert ''(reduced by $1,962,000)''.

Page 39, strike line 21 and all the follows through line 2 on page 40.

Page 42, line 21, after the dollar amount insert ''(reduced by $3,763,000)''.

Page 44, line 8, after the dollar amount insert ''(reduced by Page $3,000,000)''.

Page 45, beginning on line 21 strike ''Provided further, That if'' and all that follows through line 13 on page 46.

Page 62, line 17, after the first dollar amount insert ''(reduced by $1,000,000)''.

Page 62, line 25, after the dollar amount insert ''(reduced by $1,000,000)''.

Page 65, line 23, after the dollar amount insert ''(reduced by $2,768,000)''.

Page 66, line 8, after the dollar amount insert ''(reduced by $2,768,000)''.

Page 78, line 12, after the dollar amount insert ''(reduced by $331,000,000)''.

Page 78, line 20, after the dollar amount insert ''(reduced by $198,000,000)''.

Page 81, line 9, after the dollar amount insert ''(reduced by $17,000,000)''.

Page 82, line 10, after the dollar amount insert ''(reduced by $106,200,000)''.

Page 85, line 6, after the dollar amount insert ''(reduced by $10,000,000)''.

Page 86, line 1, after the dollar amount insert ''(reduced by $256,000,000)''.

Page 87, line 19, after the dollar amount insert ''(reduced by $200,000,000)''.

Page 88, line 17, after the dollar amount insert ''(reduced by $105,000,000)''.

Page 90, line 5, after the dollar amount insert ''(reduced by $2,000,000)''.

Page 91, line 17, after the dollar amount insert ''(reduced by $40,000,000)''.

Page 92, line 5, after the dollar amount insert ''(reduced by $150,607,000)''.

Page 96, strike lines 6 through 14.

Page 96, line 19, after the dollar amount insert ''(reduced by $175,000,000)''.

Page 97, line 8, after the dollar amount insert ''(reduced by $8,000,000)''.

Page 97, line 15, after the dollar amount insert ''(reduced by $6,500,000)''.

Page 97, line 20, after the dollar amount insert ''(reduced by $1,500,000)''.

Page 98, line 12, after the first and second dollar amounts insert ''(reduced by $56,285,000)''.

Page 100, line 8, after the dollar amount insert ''(reduced by $606,328,000)''.

Page 100, line 14, after the dollar amount insert ''(reduced by $606,328,000)''.

Page 102, line 20, after the dollar amount insert ''(reduced by $235,000,000)''.

Page 102, line 22, after the dollar amount insert ''(reduced by $235,000,000)''.

Page 104, line 20, after the dollar amount insert ''(reduced by $100,000,000)''.

Page 104, line 21, after the dollar amount insert ''(reduced by $100,000,000)''.

Page 147, line 1, after the dollar amount insert ''(reduced by $200,000)''.

Page 147, line 24, after the first dollar amount insert ''(reduced by $3,800,000)''.

Page 148, line 22, after the dollar amount insert ''(reduced by $30,000,000)''.

□ 1915

The SPEAKER pro tempore. Does the gentleman from Massachusetts continue to reserve his point of order?

Mr. OLVER. I do not. I withdraw my point of order.

The SPEAKER pro tempore. The gentleman from Iowa is recognized for 5 minutes.

Mr. LATHAM. Mr. Speaker, I thank you very much. I want to wish the Members a good evening. I'm sorry about the delay here.

Mr. Speaker, this motion to recommit is really quite simple. It simply reduces the accounts that exceed the levels recommended in the budget request back down to the President's proposed level. I'm quite confident the funding levels proposed by the President are sufficient, and frankly, if the higher levels of funding were required, the budget request would have identified higher funding levels.

Let me say again that I would be a strong supporter of this bill if the funding levels weren't so astronomically out of proportion with the current reality. I hold a very positive view of Chairman OLVER and admire his thoughtful and fair approach to this bill, but a 25 percent increase over the funding level of fiscal year '09 is absurd, especially in the context of the huge sums of funding provided to the Department of Transportation and HUD through the stimulus bill. This bill would fund these agencies at $68 billion on top of the more than $61.8 billion they received through the stimulus. How can these agencies possibly spend through this funding in an efficient and effective manner?

So in response to this reckless pattern, my motion would reduce the bill's bottom line by cutting only those accounts that were funded over and above the President's request. This motion to recommit saves the U.S. taxpayers $5.4 billion.

I would ask for your support for this motion to recommit. I think in today's fiscal climate, it is totally appropriate and is something that we should do. This is about our kids and our grandchildren in the future. And just to bring it back to the President's request, I don't think this is something that is too much to ask from anyone.

I yield back the balance of my time.

Mr. OLVER. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Speaker, I think it's quite ironic that the amendment that's being offered is one to reduce the funding and conform the funding to the President's request, but it's exactly what the now minority has done year after year in rubber-stamping the President's position. That's what's so ironic about it.

We, on the other hand, have taken an independent view with a very good subcommittee, with some Members on the minority side who have joined us on some of this and, in fact, have taken a position substantially in support of the idea which is at the core of this legislation that we are doing something more for vulnerable populations.

Virtually everything that has been removed in reductions from this bill is in those things, but not all of them, virtually all, in the area of assistance for vulnerable populations. Let me just go down the list.

We have section 8, tenant-based housing and section 8 project-based housing, a total of a $798 million reduction, all of them back to the President's requests. But the needs got greater from when the requests were made because of what is happening, because there are more homeless, because there are more people out of work than there were at the time the request was made, in all good faith.

The Native American Block Grant for the poorest of the poor is reduced by $105 million.

Elder housing, which we had raised by $235 million, and the housing for the disabled people, which we had raised by $100 million, which, by the way, all of this was taken through the full Appropriations Committee and approved by the Appropriations Committee and sent to the floor.

Homeless assistance has been reduced by $56 million.

The public housing operating fund has been reduced by $200 million.

The public housing authority's capital fund, reduced by $256 million.

The housing for people with AIDS, reduced by $40 million.

The HOME Program for affordable housing, rental housing, as well as first-time homeownership is reduced by $175 million. All of these to conform with the President's number.

Our committee and our Members feel very strongly that those vulnerable populations need a little bit more under the circumstances that we are dealing with at the present time, so we put it in, and that's the way we voted today.

Now, beyond that, we have had a strong vote on the issue of high-speed rail and the items related to it, a vote which was earlier today, 136 for an amendment to strike the very thing that is backing this motion to 284 against, including 40 Members from the minority side who voted with the majority on that issue.

Beyond that, we have the amendment which reduces the FAA's safety positions in two different areas; one by removing 150 aviation inspectors, which we went above the President's request, I think quite legitimately, for aviation safety, and also 35 additional people that we put in for rail safety. We've had some rail problems. We believe that there are problems that needed to be dealt with.

So all of those things have been done. I think we should keep exactly what we have done, the vote before, and reject this motion to recommit.

I yield time to the gentleman from Wisconsin.

Mr. OBEY. I thank the gentleman for yielding. I would urge a ''no'' vote on this. I simply think that we are entitled to ask one question: Why on Earth, if we're supposed to take this motion seriously, were we required to listen through the reading of a 55-page amendment, witness it being withdrawn, and then have them introduce an amendment which is virtually the same in an identical form?

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. LATHAM. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 192, nays 226, not voting 15, as follows:

[Roll No. 636]

YEAS—192

Aderholt
Adler (NJ)
Akin
Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Blackburn
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Dahlkemper
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly (IN)
Dreier
Ehlers
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Markey (CO)
Marshall
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paulsen
Pence
Perriello
Peters
Petri
Pitts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NAYS—226

Abercrombie
Ackerman
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Fudge
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (MA)
Massa
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McMahon
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOT VOTING—15

Barrett (SC)
Berry
Bishop (UT)
Blunt
Conyers
Duncan
Kaptur
McCarthy (NY)
Paul
Platts
Richardson
Rush
Schiff
Smith (NJ)
Towns

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. There is less than a minute remaining in this vote.

□ 1941

Messrs. MURPHY of Connecticut, CARNEY, Ms. PINGREE of Maine, and Mr. TEAGUE changed their vote from ''yea'' to ''nay.''

Mr. TIM MURPHY of Pennsylvania changed his vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill. Under clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 256, nays 168, not voting 9, as follows:

[Roll No. 637]

YEAS—256

Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (MA)
Massa
Matsui
McCollum
McDermott
McGovern
McHugh
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—168

Aderholt	Gerlach	Miller (FL)
Akin	Gingrey (GA)	Miller (MI)
Alexander	Gohmert	Miller, Gary
Austria	Goodlatte	Minnick
Bachmann	Granger	Moran (KS)
Bachus	Graves	Myrick
Bartlett	Guthrie	Neugebauer
Barton (TX)	Hall (TX)	Nunes
Biggert	Harper	Nye
Bilbray	Hastings (WA)	Olson
Bilirakis	Heller	Paulsen
Blackburn	Hensarling	Pence
Boehner	Herger	Pitts
Bonner	Hill	Platts
Bono Mack	Hoekstra	Poe (TX)
Boozman	Hunter	Posey
Boustany	Inglis	Price (GA)
Brady (TX)	Issa	Putnam
Broun (GA)	Jenkins	Radanovich
Brown (SC)	Johnson (IL)	Rehberg
Brown-Waite, Ginny	Johnson, Sam	Roe (TN)
	Jones	Rogers (AL)
Buchanan	Jordan (OH)	Rogers (KY)
Burgess	Kind	Rogers (MI)
Burton (IN)	King (IA)	Rohrabacher
Buyer	King (NY)	Rooney
Calvert	Kingston	Roskam
Camp	Kirk	Royce
Campbell	Kline (MN)	Ryan (WI)
Cantor	Kratovil	Scalise
Capito	Lamborn	Schmidt
Carter	Lance	Schock
Cassidy	Latham	Sensenbrenner
Castle	Latta	Sessions
Chaffetz	Lee (NY)	Shadegg
Coffman (CO)	Lewis (CA)	Shimkus
Cole	Linder	Shuster
Conaway	Lucas	Simpson
Crenshaw	Luetkemeyer	Smith (NE)
Culberson	Lummis	Smith (TX)
Davis (KY)	Lungren, Daniel E.	Souder
Deal (GA)		Stearns
Dent	Mack	Sullivan
Dreier	Manzullo	Taylor
Driehaus	Marchant	Terry
Duncan	Markey (CO)	Thompson (PA)
Emerson	Marshall	Thornberry
Fallin	Matheson	Tiahrt
Flake	McCarthy (CA)	Tiberi
Fleming	McCaul	Upton
Forbes	McClintock	Walden
Fortenberry	McCotter	Wamp
Foxx	McHenry	Westmoreland
Franks (AZ)	McKeon	Whitfield
Frelinghuysen	McMorris Rodgers	Wilson (SC)
Gallegly		Wittman
Garrett (NJ)	Mica	Young (FL)

NOT VOTING—9

Abercrombie	Blunt	Pascrell
Barrett (SC)	McCarthy (NY)	Paul
Bishop (UT)	Murphy (CT)	Skelton

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1948

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO THE PRESIDENT

Mr. ANDREWS, from the Committee on Armed Services, submitted a privileged report (Rept. No. 111–221) on the resolution (H. Res. 602) requesting that the President and directing that the Secretary of Defense transmit to the House of Representatives all information in their possession relating to specific communications regarding detainees and foreign persons suspected of terrorism, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3293, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 111–222) on the resolution (H. Res. 673) providing for consideration of the bill (H.R. 3293) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, which was referred to the House Calendar and ordered to be printed.

APPOINTMENT AS MEMBERS TO FINANCIAL CRISIS INQUIRY COMMISSION

The SPEAKER pro tempore. Pursuant to section 5 of the Fraud Enforcement and Recovery Act of 2009 (P.L. 111–21), and the order of the House of January 6, 2009, the Chair announces a joint appointment by the Speaker and the majority leader of the Senate and an appointment by the Speaker on the part of the House to the Financial Crisis Inquiry Commission:

Joint appointment:

Mr. Phil Angelides, Sacramento, California, Chairman

Speaker's appointments:

Ms. Brooksley Born, Washington, D.C.

Mr. John W. Thompson, Woodside, California

COMMUNICATION FROM THE REPUBLICAN LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN A. BOEHNER, Republican Leader:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 22, 2009.

Hon. NANCY PELOSI,
Speaker, U.S. Capitol,
Washington, DC.

DEAR SPEAKER PELOSI: Pursuant to Section 5 of the Fraud Enforcement and Recovery Act of 2009 (P.L. 111–21), I am pleased to appoint the following individuals to the Financial Crisis Inquiry Commission.

The Honorable William M. Thomas of Bakersfield, California (Vice Chairman)

Mr. Peter J. Wallison of Old Snowmass, Colorado

Both Mr. Thomas and Mr. Wallison have expressed interest in serving in this capacity and I am pleased to fulfill their requests.

Sincerely,

JOHN A. BOEHNER,
Republican Leader.

A CONTRABAND FLOW CHART

(Ms. FOXX asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FOXX. Mr. Speaker, this organizational chart is a chart that represents the new way that health care would be handled in the United States under the Democrats' plan. This is a chart that we will not be allowed, though, to send out to our constituents because it has been ruled inappropriate to send out. But we want the American people to see it.

The other thing that people need to know about the Democrat health bill is that it's going to give higher taxes to small businesses and it's going to destroy jobs. According to the Democrats' plan, filers making $280,000 will be hit with a 1 percent surtax. Filers making $400,000 will be hit by a 1.5 percent surtax, and filers making $800,000 will be hit by a 5.4 percent surtax.

Because most small businesses pay their taxes as part of their owner's individual tax filing, a majority of those hit by this new tax will be small businesses. According to the National Association of Manufacturers, an industry hard hit by the economy, 68 percent of manufacturers file as S corporations with an average income of $570,000. We also know this bill will destroy 4.7 million jobs. That's too many jobs to destroy in this country. We don't need this health care bill.

VAGUE AND GENERAL HEALTH CARE REFORM

(Mr. COBLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COBLE. Mr. Speaker, during his prime time press conference last night, President Obama spoke in vague generalities about his care proposal in claiming the plan is deficit neutral. The nonpartisan Congressional Budget Office disagrees, the CBO, found that the legislation would increase the deficit by $239 billion over a 10-year period. The CBO director recently said the administration's plan significantly expands the Federal responsibility for health care costs, but you wouldn't know this from having watched last evening's press conference. Not one reporter questioned the President about the CBO's findings. Instead the media, once again, gave the President a free pass and deprived Americans of all the facts surrounding health care.

HEALTH CARE REFORM WILL BENEFIT SMALL BUSINESS

(Mrs. MALONEY asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY. Mr. Speaker, America's small businesses are facing a health care crisis, and they need our help. Small businesses pay 18 percent more for the same health insurance benefits as large businesses, hampering these incubators of recovery and growth. We must fix the broken health care system to help our Nation's entrepreneurs and their employees.

Half of all Americans work for a small business. That's half of the Nation's private, nonfarm gross domestic

product. Economic recovery and sustained growth depend on strong small businesses. Health reform could save small businesses up to $855 billion, growing the economy and creating new jobs. Our small businesses are in critical condition. If we fail to treat this crisis, we put our Nation's economic well-being and recovery at risk.

HEALTH CARE REFORM LOOPHOLES ALLOW ILLEGAL IMMIGRANTS TO GET BENEFITS

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, when CBS News anchor Katie Couric asked President Obama if illegal immigrants could participate in his health care plan, his answer was ''no.'' However, here are the facts which have not been reported by the media. There are gaping loopholes in the health care bill that allow illegal immigrants to receive taxpayer-funded benefits.

The bill contains no verification mechanism to ensure that illegal immigrants do not apply for benefits. In fact, Democrats rejected an amendment to close this loophole. And the bill leaves open the possibility that if one citizen family member is eligible for benefits, then the whole family, including illegal immigrant family members, is also eligible for the benefits. The proposed health care scheme could force the American people to pay for the health care of illegal immigrants. This is simply another reason to oppose it.

PHYSICIAN-OWNED AND SPECIALTY HOSPITALS WILL BE EMBRACED BY THE HEALTH CARE REFORM BILL

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I think the real truth is that Americans want real health care reform. They understand that families are paying $1,800 a year for the uninsured, $1,200 if you're a single individual, costs that will continue to grow without health care reform. Fourteen thousand Americans lose their health care every day. All of the issues that my friends on the other side talk about they know are workable issues.

The bottom line is access to health care. In Texas, our effort and intent is to embrace and work with physician-owned and specialty hospitals. We want to make sure that they are protected in this health care reform. Why? Because they provide services to Americans and Texans that others cannot provide. We want to ensure that there is access to health care all over, but we also don't want to have smoke and mirrors. My friends on the other side should get at the table of negotiation, make sure our specialty and physician-owned hospitals are protected and allowed to grow if they are in the process of building, not use the arbitrary deadline; but, yes, we should face the question, save Americans $1,800 a year, $1,200 for an individual, stop the bleeding, stop the 14,000 that are losing their health care.

RESOLUTION OF THE SANTA FE, TEXAS, CHAMBER OF COMMERCE

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, House Republicans and even some Democrats have been highlighting the problems with the proposed health care bill this Congress is considering. Santa Fe, Texas, in the district that I represent, has 10,500 hardworking folks with concerns about this massive intrusion of government-run health care. Just this week, the Santa Fe Chamber of Commerce passed a resolution strongly opposing the proposals the majority has put forward.

I think the voice of small-town America can say it even better than I can. The highlights of the resolution include: ''The Santa Fe Chamber of Commerce expresses its opposition to any legislation that develops national health care in the United States.'' This proposal will require huge tax increases in order to subsidize the planned program.

And one more passage: ''The Federal Government should not be in the business of controlling and manipulating the health care system.'' The good people of Santa Fe, Texas, understand the problems with government-run health care. I wish my colleagues on the other side of the aisle did as well.

RESOLUTION

Be it resolved that the Board of Directors of the Santa Fe Chamber of Commerce express its opposition to any legislation that develops National Healthcare in the United States, and

Whereas, the health care plan as proposed creates huge inequities among all hardworking wage earners in America, and

Whereas, this proposal will require huge tax increases in order to subsidize the planned program, and

Whereas, the Federal Government should not be in the business of controlling and manipulating the health care system, and

Whereas, the enactment of a government-run, health care insurance program is not sustainable. No confidence exists in the Federal Government's ability to deliver the cost containments necessary to expand coverage of the uninsured, and

Whereas, the private health care insurance industry has the existing tools to contain costs and the incentives necessary to improve quality and affordability for their customers, and

Whereas, under the health care reform bill, access to health care will become unreasonable to the highest degree. The rationing of health care in countries with socialized medicine has led to patients dying because they were forced to wait too long to receive treatment, and

Whereas, the solution in health care reform lies in improving the quality and affordability of health care through market-based changes, and

Whereas, the focus on health care reforms should be directed in finding ways to make private health care coverage more affordable and to provide fair and adequate reimbursements for care.

Therefore, be it resolved that: The Board of Directors of the Santa Fe Chamber of Commerce representing 225 businesses in our community states through this resolution its strong opposition to the proposed changes in our country's health system through government interference and control, and

Be it further resolved that a copy of this resolution be forwarded immediately to our elected representatives in the U.S. House of Representatives and Senate.

Passed this day of July 21, 2009

Signed by: Andrea Brinegar 2009 Santa Fe Chamber of Commerce, Inc., Chairman of the Board.

STOP CENSORING THE HEALTH CARE CHART

(Mr. BRADY of Texas asked and was given permission to address the House for 1 minute.)

Mr. BRADY of Texas. Mr. Speaker, what is the Speaker trying to hide? Last week, America got the first peek at what the Democratic government-run health care plan would look like; and what people saw, based upon the economists on the minority staff of the Joint Economic Committee, was 31 new Federal programs, agencies, commissions and mandates in between them and their doctors ensuring that unelected bureaucrats would choose what doctors they can see, what treatments they deserve and what medicines they can receive. This is not the type of health care system Americans want.

But today, the Democrat House is blocking Republicans from sharing this important flow chart with their constituents. Why are we censoring the American Congress? Why are we preventing the public from seeing what the Democrat health care plan will do? We deserve, our public deserves the right to know what this health care will do to their lives and their family's lives.

It is time to let America know. Stop the censoring. Let us share the health care chart with our constituents.

□ 2000

IT'S TIME THE AMERICAN PEOPLE GET TO SEE THE TRUTH

(Mrs. BACHMANN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BACHMANN. Mr. Speaker, I think it's so important for the American people to understand that right now in Congress this is considered contraband. This is very controversial. Even though this represents the Democrats' health care plan, we are not, as Members of Congress, allowed to put this chart up on our Web sites. We're not allowed to send this chart out to our constituents across America.

What are the Democrats worried about, Mr. Speaker? Could it be because this is the latest board game in the United States, that the American health care consumer stands on this side of 31 bureaucracies and they have to figure out how to get through 31 bureaucracies before they can get to their doctor? Or could it be, Mr. Speaker, because this will cost 5 million jobs? Or could it be, Mr. Speaker, because this will cost $2 trillion in additional deficit?

I can understand why the Democrats wouldn't want the American people to see this, but I don't understand how you can make the claim that this is the most transparent Congress in the history of this country, if you won't even let the American people see that there are 31 bureaucracies that stand between average Americans and their doctor.

Mr. Speaker, it's time that the American people get to see the truth. This shouldn't be contraband.

THE AMERICAN PEOPLE HAVE A RIGHT TO KNOW

(Mr. BURTON of Indiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Speaker, I can't believe it. The Democrats have 70-some more Members in this Chamber than we do, and yet they're afraid to let the American people know what's in their health plan. This thing, I call it a thing, has 31 new Federal agencies, commissions and mandates in it, and that's between the doctor and their patient. And the American people have a right to know these things, and they're saying we can't put it on our Web site. We can't mail it to our constituents. We can't tell them about it. That is censorship.

They shouldn't have to worry. With 70-some more votes than we have, they ought to be able to do anything they want to in this House. But even Democrats don't like this plan. That's why they can't get it out of the House and can't even get it out of committee right now.

The American people have a right to know. Censorship should never happen in the House of Representatives, the people's House, and I'd say to the Speaker, let's get with it. The American people should see what they're going to get if they pass your plan.

CENSORSHIP IN THIS HOUSE

(Mr. GOHMERT asked and was given permission to address the House for 1 minute.)

Mr. GOHMERT. Mr. Speaker, during the American Revolution, often Voltaire was quoted for saying, I disagree with what you say, but I will defend to the death your right to say it. Man, the revolution has been turned on its head.

Now we're told that you cannot use government resources to use the term ''government-run health care'' because that offends the majority, so they are censoring the mail, censoring the resources here. But now we are, until they turn off the mikes and the lights again this year, we're able to hold posters here on the floor. Here's another thing that's been censored.

Mr. Speaker, this is outrageous. Just because anybody disagrees with what we say, it's no reason to shut down our right to say it. This country can't proceed with this kind of censorship.

CENSORSHIP

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I serve on the Franking Commission for this body. The purpose of the Franking Commission essentially is to make sure that government resources are not used in a way that would look like it's campaign purposes; that is, we are very careful about how many times you use the personal pronoun ''I,'' how many times you can have your picture in a newsletter. But never in the history of this House have these rules been used to censor Members from articulating a point of view on an issue that is before this House.

This chart has been introduced into the record, the official record of consideration of the health bill before the Ways and Means Committee, and yet we have been told by the majority, we've been told that it's been taken above the level of those of us on the Franking Commission. We've been told that we cannot use this. Why? Because they disagree with our opinions expressed herein.

I didn't know that one of the obligations of the minority was to accept censorship because the majority does not want our efforts to get in their way of passing a health bill that takes control of health away from people and puts it in the government.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. KRATOVIL). The Chair announces a correction to an earlier vote tally. On roll call vote No. 628, the ayes were 105 and the noes were 328.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CENSORSHIP BY THE MAJORITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, I've been in this House for a long time and I've served with a number of Presidents. I've served with a number of Democrat and Republican Speakers. I've served with colleagues that are very good friends of mine that are Democrats and Republicans, and I've never had a problem getting along with them. And even though we have strong differences with my Democrat colleagues, at least I felt they were fair most of the time. In fact, they always tried to be fair. And I've talked to the majority leader about problems. We've talked to a lot of the Members that are chairmen of committees about problems, and they've been very fair in most cases. But I have never, ever seen anything like this.

This is a chart that shows the Democrats' health care plan. We've been talking about it tonight. KEVIN BRADY worked this up, and it's very, very accurate. It shows all of the committees or agencies that are going to be created that the American people are going to have to go through to get health care. There are 31 new Federal agencies, commissions and mandates that will come between the patient and their doctor.

Now, we have had problems dealing with the post office. The post office has had their stamps going up because they're not making the profit that they should. We have problems with HHS. We have problems with the automobile industry now that's now called Obama Motors. We have all kinds of problems right now because government cannot handle the things that the private sector can.

Now, we do need to improve health care. We need to make some changes that will be positive, and the Republicans have a plan to do that, but to say that that is something that we should not show the American people is really tragic. It is censorship. The American people have a right to know. We're their elected representatives.

I represent almost 700,000 people in Indiana, and a lot of them are calling, asking what this new health care plan's going to do to them, and we wanted to send this out to those people so that they could see with their own eyes what they're going to have to go through to get health care, how much it's going to cost and how long it will take. But they're saying, the Democrats are saying we cannot send this out to our constituents. That is just wrong. It's censorship. And in all years I've been in this body, I've never seen anything like this.

There have been a lot of differences with the Speakers of the Democrats in the past, but there's never, ever been anything like this. And I'd say to the Speaker if she were here tonight, ''Change this, Madam Speaker. This is

something that even you should never tolerate, the censorship of a Member of Congress from telling his constituents what's really going on around here, especially when their health care is concerned.''

OVER 5,000 NOW DEAD IN AFGHANISTAN AND IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, five American soldiers have been killed in Afghanistan so far this week. That brings the death toll in July to 31, making this the deadliest month for our troops since the conflict in Afghanistan began.

We also passed another tragic milestone this week. According to official Department of Defense statistics, over 5,000 American troops have now died in Iraq and Afghanistan, combined.

Of course, the human tragedy is even greater than that, because the 5,000 figure doesn't include the number of wounded American troops or the casualties suffered by the troops of other nations. It also doesn't include Iraqi civilian casualties or the military family members whose lives have been devastated. The human tragedy is so great, you can't really calculate it. And of course you must add in the Afghanistan civilian casualties as well.

What has been the reaction of this, in this Congress to the catastrophe? Well, we have passed yet another supplemental funding bill to keep the fighting going. But the situation in Afghanistan is becoming more and more dangerous. The U.S. Command expects that roadside or suicide bombings against our troops will be 50 percent higher this year than last year. In the first week of June, alone, there were more than 400 attacks, the highest level since 2001. And the Pentagon has admitted that we are losing troops at an alarming rate.

I voted against the supplemental funding bill because 90 percent of it pays for the military-only approach that has been such a failure in Afghanistan. Less than 10 percent of the supplemental goes to pay for the nonmilitary activities that can actually prevent extremism in Afghanistan. These include economic development, reconstruction, humanitarian aid, civil affairs, and diplomacy. Even National Security Advisor James Jones has said that nonmilitary approaches are vital and that they have always been lagging.

Well, it's time for them to stop lagging, Mr. Speaker. It's time to put those ideas front and center. We must also launch a new regional diplomatic surge that engages Afghanistan's neighbors in efforts to help the Afghan people and strengthen the central government's ability to deliver services and protect the citizens.

In addition to Afghanistan, we must also pay attention to other parts of the world where extremists take advantage of poverty and lack of opportunity to recruit new members. In these areas, America must invest in basic human needs like jobs, like health, education, education especially for girls and women who are often completely shut out of the classroom.

□ 2015

This is what the people want. This is what they need from America, not more innovations, not more occupations. This is what will bring real hope for the people's future, and this is what will help to avoid adding extremists in the first place.

Mr. Speaker, by changing and by supporting smart power over other priorities and goals, we can give the people of Afghanistan help. We can help them build a stable and functioning state. We can save the lives of our troops, and we can go a long way toward defeating extremism and stopping those who threaten our security—oh, and it would save billions of dollars as well.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PROMOTE AVIATION THROUGH RESPONSIBLE POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Kansas. Mr. Speaker, good evening.

Since the Wright brothers left the ground for the first time at Kitty Hawk, aviation has fascinated our collective imagination, contributed to unprecedented interaction among people, and grown to become one of the most important industries in our Nation.

Whether it was aviators of the past, like Charles Lindbergh, Amelia Earhart, or those more recently, like Steve Fossett, who flew a solo, nonstop trip around the world that began and ended in Salina, Kansas, aviation has had a unique ability to capture our attention and to inspire us to achieve things which we once thought were impossible.

Advances in aviation technology and engineering have led to the development of larger, faster, more fuel-efficient planes that carry passengers and goods around the world. The ease of travel and shipment modern aviation allows has contributed to a worldwide economic growth and to new opportunities for leisure travel for far more people than ever before. In America, the aviation industry accounts for more than $1 trillion in economic activity each year. Millions of Americans are employed by this critical industry that facilitates so many other economic transactions.

As a Kansan, I take special pride in the aviation industry, which has deep roots in our State. Pioneers in the industry, such as Glenn Stearman, Walter Beech, Clyde Cessna, Bill Lear, and Amelia Earhart, all have important connections to the Sunflower State. Many of these innovators helped establish Wichita as the ''Air Capital of the World.'' Today, a who's who of aviation companies operates in the city of Wichita, including Boeing, Airbus, Bombardier, Cessna, Hawker Beechcraft, Spirit Aerosystems, and Raytheon.

In Kansas, the aviation industry accounts for 20 percent of the State's manufacturing employment, and it employs tens of thousands of Kansans. Engineers, machinists, mechanics, inspectors, scientists, and technicians are dedicated to producing the best aircraft in the world. These employees take great pride in what they do, and they deserve our support.

Yet the industry faces significant challenges. The recession has hit aviation hard, and many workers have lost their jobs. During the difficult times that we're in, Congress especially needs to be supportive of this critical component of America's manufacturing base. Efforts to demagogue about the use of private planes and business aviation by private corporations harm this industry. I was troubled in January, during the consideration of the TARP Reform and Accountability Act, that provisions to limit businesses from leasing or from using general aircraft for business purposes were almost included in the final legislation. Doing so would have lowered the national aviation production, and it would have hurt workers everywhere, especially in Kansas, where more than 54 percent of our country's aviation products are manufactured.

Congress must remember the importance of this industry, not only to our national economy but to so many local and regional economies within the country. It is in our collective interest to protect and to encourage growth in the general aviation community.

As a member of the Congressional Aviation Caucus, I work to inform and to educate Members of Congress about the importance of this industry to our Nation. Congress was right to, once again, reject the ''user-fee'' proposal that would have further harmed general aviation. User fees would have unfairly burdened the general aviation industry. Congress must continue to oppose unnecessary taxes or fees on general aviation. Those in Congress must also question and fight the impractical regulations, such as the Transportation Security Administration's large aircraft security proposal, which would apply to many of the planes owned by individuals and small companies.

When it comes to key American industries, aviation is at the top of the list. I encourage my colleagues to join me in pledging to do all we can to promote aviation through responsible policy.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. SALAZAR) is recognized for 5 minutes.

(Mr. SALAZAR addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE PUBLIC'S OPTION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MALONEY) is recognized for 5 minutes.

Mrs. MALONEY. Mr. Speaker, the American Medical Association has given a ringing endorsement of H.R. 3200, America's Affordable Health Choices Act. This legislation contains a strong public insurance option which would guarantee that quality, affordable health care is available to all Americans.

The AMA has not always been on board with health care reform. Many of us remember their opposition to President Clinton's efforts. Yet the AMA and the millions of doctors it represents now realize that the status quo system is broken. They understand the urgency of the problem, and they recognize that the pending bill is a major part of the solution.

The AMA's strong voice joins the chorus of Americans who want this Congress to pass a health care reform bill that includes a public option. Nearly three-quarters of all Americans want the option to participate in a government-administered health insurance plan that competes on a level playing field with private insurers. Popular support for the public option is not a partisan issue. Seventy-one percent of independent voters support the public option, and so do half of all Republican voters.

Americans want this bill. They want the public option, and they want us to act now.

Americans understand the critical role the public option plays in slowing skyrocketing health care costs. A government-administered plan can provide quality insurance at a low cost, leading by example to make the health care market more efficient.

Efficiency will save families money. If we fail to act, the cost of health care for the average family of four will rise by $1,800 annually for years to come. The public option is not just important for families. It's also key to putting our Nation's economy on the road to a full and sustainable recovery. If we don't contain health care costs, then our Nation's budget deficit will continue to spiral out of control.

Let us be very clear. The public option is not an attempt to drive private insurers out of business. Some State governments already offer their employees a choice between public and private health insurance, and private insurers have fared just fine.

A public option is critical to containing the health care costs that weigh so heavily on our Nation's families and on our Nation's economy. The public option does what a good private policy should do. It promotes primary care. It caps out-of-pocket spending so that a family medical crisis no longer means a family financial crisis. It establishes shared accountability between doctors, patients and the insurer. It institutes new payment structures to promote critical reforms. It will ensure that patients are able to get the medically effective treatments their doctors recommend. In short, it provides high-quality care at an affordable price.

Just like private plans, the public option will be financially self-sustaining, receiving no special government funding beyond a loan to get it off the ground. The public plan will be bound by exactly the same rules that regulate private insurers. In other words, the public plan will compete on a level playing field with private insurers.

Some powerful industries have spoken out against the public option. They prefer the status quo where decisions about treatment a patient receives are determined according to a company's bottom line rather than according to what a patient needs.

On the side of meaningful reform, the most important voice of all is calling for the inclusion of a public option. That loud chorus is the voice of the American people. Now is the time to listen to them. Now is the time for health reform with a strong public option.

DEMOCRAT CENSORSHIP OF GOP VIEWS OF HEALTH CARE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DANIEL E. LUNGREN) is recognized for 5 minutes.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, when I served in this House the first time around, the Cold War was still ongoing, and there was a term that often appeared in the press. It was called Samizdat, S-a-m-i-z-d-a-t. That word was used to describe communications which conveyed the opinions of people disfavored by an oppressive regime. It was the personally published commentary among peoples who felt they were oppressed in Communist countries. Why? Because their opinions were not allowed to be expressed in the official press.

Today, we have a situation in this House in which Mr. HERGER, Mr. LAMAR SMITH, Mr. LAMBORN, Mr. BONNER, Mr. WESTMORELAND, Mr. OLSON, Mr. SHUSTER, Mr. ROSKAM, Mr. MCCOTTER, Mr. GINGREY, Mr. FLEMING, Mr. BOUSTANY, Mr. CONAWAY, and Mr. PRICE thus far have been refused by the majority permission to express their points of view with respect to one of the most critical issues facing our country, that of reforming our health care system.

One of the most distinguished Members of this body, a member of the Ways and Means Committee, Congressman KEVIN BRADY from Texas, in working with the Republican economic staff of the Joint Economic Committee, came up with this chart, outlining what we believe to be the bureaucratic nightmare contained in the majority's proposal for health care.

Now, the majority disagrees with our interpretation of the facts, and that's part of politics. That's part of this body, but the majority has now said we will not allow you in the minority to use any official communications mechanisms to share your views of the impact of this legislation on your constituents.

Now, why does this seem strange?

Well, it just happens that, in 1993, we were faced with what later became known as HillaryCare, an attempt by the Clinton administration to take over health care by the Federal Government. At that time, Republicans also came up with a flowchart that showed the bureaucratic morass that would result from that proposal. I have with me a copy of the permission from the franking commission at that time that this be allowed. The only difference I can see between the two charts is that one is in black and white and that one is in color.

What has happened in the interim? Well, HillaryCare was defeated. The President said we can't stand to defeat his particular proposal, that they somehow have all of the answers.

Now, some people may say, ''Well, what is it that the franking commission is supposed to do? What are your rules?'' The rules have been established essentially to make sure that Members do not abuse the right of communication by turning their publications into campaign pieces, so we limit the number of pictures one can have there, the number of references that can be made to the Member, himself or herself.

To give you an example of what we on the Republican side have approved, I have a newsletter that has gone out by one of the Members on the Democratic side in which the claim was made that the stimulus package has helped create and save 3.5 million Americans jobs. I think that's absurd; I think that is a point of argument, but I don't believe that we ought to stop a Member of Congress from the Democratic side from making that assertion to his constituents.

I have another one with me that was approved in which a Democratic Member has claimed that 3.5 million jobs nationwide have been created—215,000 jobs in New York and 7,200 jobs in her particular district.

Then I have a copy of a letter that was approved last year from the Speaker, herself, in which she says that the New Direction Congress—that's how she defines it—also fought to increase compensation for our troops in the face of opposition from the Bush administration. It then goes on to criticize the President even though he signed it.

We disagree with the characterizations that were in Speaker PELOSI's

letter, but we didn't think it was our purpose to censor her. Let's get rid of censorship and allow the American people to hear the facts as they are argued on both sides.

□ 2030

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REVISIONS TO THE 302(a) ALLOCATIONS AND BUDGETARY AGGREGATES ESTABLISHED BY THE CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010)

The Speaker pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. SPRATT) is recognized for 5 minutes.

Mr. SPRATT. Madam Speaker, under sections 442(a) and (b) of S. Con. Res. 13, the concurrent resolution on the budget for fiscal year 2010, I hereby submit a revised 302(a) allocation for the Committee on Appropriations for fiscal year 2010. Section 422(a) of S. Con. Res. 13 directs the chairman of the Committee on the Budget to adjust discretionary spending limits for certain program integrity initiatives if such an initiative is included in an appropriations bill. The bill H.R. 3293 (Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2010, and for other purposes) includes appropriations for certain such initiatives in accordance with S. Con. Res. 13. Section 422(b) of S. Con. Res. 13 permits the chairman of the Committee on the Budget to adjust discretionary spending limits for the Low-Income Home Energy Assistance Program under specified conditions. H.R. 3293 meets the requirements of section 422(b) of S. Con. Res. 13. A table is attached.

This adjustment is filed for the purposes of section 302 of the Congressional Budget Act of 1974, as amended. For the purposes of the Congressional Budget Act of 1974, as amended, this adjusted allocation is to be considered as an allocation included in the budget resolution, pursuant to section 427(b) of S. Con. Res. 13.

DISCRETIONARY APPROPRIATIONS—APPROPRIATIONS COMMITTEE 302(a) ALLOCATION

[In millions of dollars]

	BA	OT
Current allocation:		
Fiscal Year 2009	1,482,201	1,247,872
Fiscal Year 2010	1,088,659	1,307,323
Changes for H.R. 3293 (Departments of Labor, Health and Human Services, Education, and Related Agencies Appropriations Act):		
Program integrity initiatives:		
Fiscal Year 2009	0	0

DISCRETIONARY APPROPRIATIONS—APPROPRIATIONS COMMITTEE 302(a) ALLOCATION—Continued

[In millions of dollars]

	BA	OT
Fiscal Year 2010	846	734
LIHEAP:		
Fiscal Year 2009		
Fiscal Year 2010	1,900	1,463
Revised allocation:		
Fiscal Year 2009	1,482,201	1,247,872
Fiscal Year 2010	1,091,405	1,309,520

OUR FREE ENTERPRISE SYSTEM AND THE ROLE OF BIG GOVERNMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Tennessee (Mr. WAMP) is recognized for 60 minutes as the designee of the minority leader.

Mr. WAMP. Mr. Speaker, what we will see over the next 60 minutes is a conversation here on the floor of the United States House of Representatives about our economy, this issue of energy, and innovation; frankly, our free enterprise system in the future, the role of the government, and I think the problems with excessive spending.

But I want to open by talking a little bit about how I have vested my time and energies as a Member of the House over these last 15 years—because it's a privilege to serve my last term here in the House as I am a candidate for governor of the State of Tennessee now—but I will tell you, I am one on the Republican side that has been extraordinarily active on alternative energy. For 8 years, I chaired the Renewable Energy and Energy Efficiency Caucus here in the House with Congressman—now Senator—MARK UDALL of Colorado.

We built a caucus of over half the House, almost evenly divided between Democrats and Republicans, and advocated while Republicans were in the majority for unprecedented investments in renewable energy technologies. None of us got as far as we would like to have gotten, but we need to be realistic about how far we have gotten and what the capacity is for renewable sources today.

But in 2005, we wrote the Energy Policy Act. Some people didn't like it, others did, but without question it had more investments in the renewable and energy efficiency sectors than any bill that had ever been signed into law before, and I was proud to help write that very language in that bill. So I've got a long history on alternative energy and moving towards new sources.

But I voted against the recent cap-and-trade legislation because the differences today are not differences in goals or motives, because I think all Members of the House want the United States to move away, as much as possible, from fossil fuels or dirtier ways to create energy for our country's competitiveness. But the fact is, we have not developed these alternative sources yet to move as rapidly away as the leadership of the Congress now proposes if we're going to remain competitive. Their approach is much more a regulatory approach, and our approach is much more an innovation and technology approach.

A year and a half ago, I was in China, in Shanghai, where you couldn't see from one side of the Bund, the river, to the other. Extraordinarily bad pollution. So we broached the subject with the Chinese: Where are you on the environment? Basically, the answer you get from the Chinese is, you are entitled to your industrial revolution; we're entitled to ours.

Well, there's a big difference between when the United States had their industrial revolution and China having theirs now if there's no environmental regulation, because they're literally one-fifth of the world's population and climbing, and they are far and away the biggest polluters in the world. And if you think they're doing a cap-and-trade scheme to regulate their pollution or their air quality or their carbon emissions, you're kidding yourself. They're exactly the opposite.

And here we are seriously considering a scheme that will dramatically regulate our productivity and our competitiveness, raise the cost of energy, frankly raise taxes to pay for it and, at the worst time since the Great Depression, strangle our ability actually to pull out of this economic downturn. And that is the beauty of American innovation.

Not long ago, I was personally speaking with the prime minister of Australia, and he was telling me that he had great hope for the future because the U.S. had such innovation that we would lead the world out of this economic malaise. But I've got to tell you, we are now moving more towards big government regulation and the lack of innovation than at any time in modern history, instead of moving towards it.

Now, I think this is a challenge that we share in the House, but we have got to get back to a reasonable middle ground because American innovation is the only way to turn this economy around. Our entrepreneurship is the beautiful, what I call the goose, that lays the golden egg, the engine that creates the revenues to get back to a balanced budget. That's how the budget got balanced in the 1990s. We did slow the growth of spending below inflation and that was laudable, but it was new revenues in the information sector. People like Bill Gates. We actually led the world for so long on the information revolution that revenues surpassed expenses, and we balanced the budget.

We could do that again with energy. I call it the En-Tech agenda, where we would have a robust, U.S.-led manufacturing explosion in new energy solutions instead of this regulatory scheme that says we're going to actually limit the amount of energy that can be produced by certain sources and mandate a certain amount by other sources. And

the harsh reality is those sources are not available, and the irony of ironies on the floor of this House is that the very people who are opposed to coal and clean coal and new investments on how to better use fossil resources are the same people, many of them, like the gentleman from Massachusetts and the gentleman from California whose very names this legislation is under, WAXMAN and MARKEY, that are anti-nuclear.

The one single technology in the United States that can rapidly move us away from fossil electricity production, they're against it, too. So if you're against nuclear and you're against coal, what you end up being for is a lack of electricity and a lack of energy and a lack of competitiveness and a lack of innovation and a lack of manufacturing.

And the question was asked on the floor earlier this week, where are the jobs? I hate to admit this, but a lot of those jobs are in China and India, and they are going other places. That's where those jobs are, because our manufacturing sector is leaving because we're not unleashing the innovation and the entrepreneurship and the incentives for people to take risk and invest; just the opposite.

And back-to-back behind this cap-and-trade scheme, which is a big regulatory and tax burden on the American people and small business, then you talk about this health care scheme; this is a one-two punch that lands America flat on its back. And I've got to tell you, the American people are turning against it, and that's why the majority party can't pass the bills even through the committees. They have punted for the week, even though they are in a big hurry, because they want to do it before their approval rating falls too low, and they don't have the political capital to do it. And why would you rush the largest transformation in modern American society, this health care scheme, through before your political clout evaporates? That is really an un-American approach.

Now, we've got some people on the floor tonight that want to speak. Dr. VIRGINIA FOXX, an outstanding Member from North Carolina, comes, and I yield to her.

Ms. FOXX. Well, I want to thank my colleague from Tennessee (Mr. WAMP), whose loss to this House is going to be immeasurable. His contribution here in the House of Representatives representing his district in Tennessee has been outstanding. Not only has he done a fantastic job as a legislator, but his leadership in our weekly prayer breakfast has been exemplary. I should think of some better adjectives to say, but exemplary will have to do. He is really a tremendous role model for all of us in his attendance, in his caring for others, and he is going to be very much missed in the House when he leaves here. He didn't pay me to say that. He didn't know I was going to say that, but it needs to be said. Fortunately, we have him for the next 17 months still in the Congress, and I'm very, very grateful to him.

He has set the stage very well on this issue of the cap-and-trade bill, which the majority in this House pushed through the House with no chance for people to read, a 300-page amendment brought to the Rules Committee at 2:30 in the morning, and then the bill brought to the floor later that day.

There is a lot of sentiment out in the public now by the American people about the fact that people voted for that bill without having read it. Now, fortunately for our side, most of us voted against the bill. We knew pieces of it, and we knew there was enough bad in that bill to vote ''no,'' because the bill is going to do a lot of negative things in this country.

It's going to raise taxes. It's going to raise the cost of utilities. The President warned during his campaign last year, he admitted it—and we're quoting him—he admitted that, you know, under his energy plan, utility rates would necessarily skyrocket. Well, skyrocketing means probably an average of $3,000 more to pay for energy for the average family. The average family is going to have to pay over $3,000 more a year for energy.

The American people deserve better, and as my colleague from Tennessee (Mr. WAMP) said, we are the most innovative people in the world, and the reason we are the most innovative people in the world is because we are the freest people in the world. This country was founded on the concept of freedom, founded on the concept of innovation. Many people don't realize that, until this country was formed, never before had a people believed that they weren't the property of another human being. We believed in freedom, God-given freedom, and that's what formed this country.

Now, through the people in charge of this Congress, the Democrats in charge of this Congress, and a Democrat President, they are working at every level of our lives, every aspect of our lives, to take away that freedom. They want to take away our ability to have low-cost energy.

Many people also don't make the connection between the fact that the reason we were such a manufacturing powerhouse for so long was that we had low-cost, reliable energy. India and China didn't have low-cost, reliable energy. They couldn't count on having the energy they needed to run their plants 24 hours a day, 7 days a week like we did. It helped us tremendously to become a manufacturing powerhouse. But with the cap-and-tax bill and the concepts that the Democrats have put forward, it's going to seriously undermine that ability.

Republicans want us to be energy independent, and I am highly insulted when over and over the President and the leadership of the majority party say that Republicans don't have an answer, that we just want the status quo, that we're the Party of No. We're not the Party of No. We're the party of doing things right.

Let's stick with what has worked in this country over the years. We can look at Europe and see what they've done. They've tried cap-and-tax, and what has it done? Bankrupted them. Spain wanted to create lots of green jobs, they said. They have the highest unemployment rate in Europe, over 15 percent.

We can look across the ocean and see how this has failed, and it just is mind-boggling that the people who are in charge of this Congress and in the White House think that they can replicate what was done in Europe and have a different outcome. It's never happened before. It's never going to happen again, and as my colleague from Tennessee said, we are facing one of the greatest takeovers of our freedoms through cap-and-tax and the health care plan that's being proposed.

But you know, the American people are still in charge. They stopped a bad immigration bill a couple of years ago that was being debated in the Senate. They stopped it cold. We can stop these things, too. And what I'm urging people to do is—you don't have to write to most of us, all of us are going to be on the floor tonight—and say, Don't vote for this health care plan. We know that. We're not going to do it.

□ 2045

Cap-and-tax has passed the House, gone to the Senate, but put the pressure on your Senators and write to somebody who lives in a district who is represented by someone who voted for cap-and-tax and tell them you're going to remember that, they're going to remember that. Encourage them to do that.

We have other very eloquent Members on the floor tonight who want to speak on this issue so I'm going to yield back to my good friend, Mr. WAMP from Tennessee.

Mr. WAMP. I thank the gentlelady for her intellect and her insight and dogged determination on behalf of the people of North Carolina. She raised two issues I want to address before yielding to the gentleman from Georgia.

One, she said that sometimes Republicans are called the Party of No. I would say to the gentlelady, if that means saying ''no'' to tax increases and large rate increases in your electricity bills at a time of economic duress by the people we represent, then, yes, we would be the Party of No.

And she said something about bad legislation was stopped. I remind people that the immigration reform proposals were made by a Republican President, and they were wrong. And Republicans in the Congress stopped the President from going forward.

One question I would ask today is: At what point are the Democrats in the majority here going to stop the Democrat President from a wrong-headed

proposal when the American people are clearly against it? Yet, this is where you have to stand up and say, This is not only bad for America, Mr. President; it's bad for our party. And we said that and immigration reform did not go forward under Bush, because it was wrong-headed. The American people weren't for it.

And here, today, we would ask: Are you just going to follow the President of the United States and his Chief of Staff down this very liberal road? And for how long? And for the 52 so-called Blue Dogs, it's going to be a real test. What are you for? More for the liberal leadership of your party or the values that you say that you represent?

So I'd like to yield to the gentleman from Georgia, Dr. BROUN, who's been a really dynamic Member of Congress in his relatively short tenure, but he worked a long time and worked really hard to get here and he brings a depth of experience.

I yield to Dr. BROUN of Georgia for as much time as he may consume.

Mr. BROUN of Georgia. Thank you, Mr. WAMP. I appreciate you yielding me some time.

Mr. Speaker, government is growing, freedom is going. Many of us came to the floor through Special Orders and said, Where are the jobs? Mr. WAMP very eloquently told you, Mr. Speaker, where the jobs are. They're going to China and India and Sri Lanka and all the different countries around the world where the energy costs and the environmental regulations aren't such a hamper to industrial growth and development.

Mr. Speaker, I have several manufacturing plants in my district in northeast Georgia that have told me if that tax-and-trade, cap-and-tax bill passes the U.S. Senate, that they're just going to have to lock the door. They're going to lock the door and all the people who work in those factories in northeast Georgia are going to be out of work.

Right now, today, this very day, many of the counties in my Tenth Congressional District of Georgia have unemployment rates pushing over 14 percent. In Georgia, just a couple of days ago, it was announced that the State unemployment rate is 10.1 percent.

I heard today in Augusta, Georgia, which because of all the job-producing entities that have to do with government, State and Federal Government, such as the Eisenhower Army Hospital on Fort Gordon, Fort Gordon itself, the Savannah River site Department of Energy facility over in South Carolina, in my good friend GRESHAM BARRETT's district, and the Medical College of Georgia, my alma mater, those four entities, plus the VA hospital—we have two VA hospitals in Augusta, Georgia—those give a buffering effect to job losses. But in Augusta, Georgia, it's 10.1 percent now, from what I understand.

So where are the jobs? Well, they've left. And why? If you look at what has happened, we see over and over again our colleagues on the Democratic side blame George W. Bush for this bad economy and all the things that are going on today. I heard Members of the Democratic Party just this week blame the stagnation and poor economy on George W. Bush.

Well, George Bush was a big-spending President. There's no question a about that. He did create some deficit and debt. There's no question about that. And I was against that. I wasn't here during most of that period of time in Congress, but the last almost 2 years of his Presidency, I was here, and I voted against every big spending bill, every tax increase.

But I want to remind you, Mr. Speaker, and I want to remind the American people, if I can speak to them directly, that it's been on the Democratic leadership for the last 2½ years that most of the jobs have been lost. And if we look at the deficit and debt that's been created just in the last 6 months under this Democratic administration and under the rule of NANCY PELOSI and HARRY REID in Congress, we have seen more debt, more deficit created than George Bush ever thought about doing.

The Democrats need to quit talking about George W. Bush because it's their deficit, it's their debt.

And then they passed this tax-and-trade bill. They call it that. They also call it cap-and-tax because it's about taxes. The President himself a few weeks ago said he had to pass this cap-and-trade bill to be able to fund his health care reform. Now what's that mean? It means that he needs the revenue.

It's about revenue. It's not about the environment. In fact, that bill, if it passes in the U.S. Senate, is going to cost more jobs. And it's going to hurt the very people that I hear over and over again that the Democrats claim that they represent.

They claim the Republicans only represent Big Business, but actually, Mr. Speaker, it's the Democratic Party that represents Big Business, because Big Business prospers under Big Government.

It's small business that we as Republicans represent. And this energy bill that's sitting over in the Senate is going to hurt small business. It's going to hurt everybody. It's going to hurt the poor people because they're going to be paying for higher energy costs.

Dr. Foxx was talking about it, and I think my good friend Mr. WAMP from Tennessee was saying that everybody in this country is going to have to pay more. They're going to pay more for gasoline. When you flip on the light switch in your home, you're going to pay more for that electricity. When you go buy groceries, you're going to pay more for groceries. When you go to the drug store to buy your medications, you're going to pay more because these energy costs are going to be passed to every single good and service in America. Every single one.

It's been estimated that it's going to cost, because of higher energy costs, the average family, as Dr. Foxx was saying, over $3,100 per average family in America. Now some people try to refute that. The MIT economist said, Well, we're taking this a little out of context. But the thing is, what he looks at is not what it's going to cost people out of their pocketbook. In reality, it's going to cost every average family in this country over $3,100 per average family for higher energy costs if that bill passes the U.S. Senate.

So we're going to lose jobs. We're going to lose jobs because small businesses are going to have a hard time paying the energy costs with this tax-and-trade bill that this House passed.

All small business can do is increase the cost of their goods and services to the public or they have to cut back or they have to cut back on their expenses. And the way they do that is by letting people go or reducing salaries or cutting hours to their employees.

So the average worker in this country is going to take home less money if that tax-and-trade bill passes the U.S. Senate. This health care reform bill that we hear the Democrats are going to bring before the August break is going to cost more jobs.

Well, how many more jobs are these two bills going to cost? Mr. Speaker, it's estimated it's going to cost many millions of Americans, working class, blue collar, small business jobs all across this country.

Just last night, the President said if the burden primarily falls on the middle class, he won't be for it. That's hogwash because his bill, his plan is going to fall on the backs of everybody, including the middle class. It's not true. Middle class is going to pick up the bill for this health care reform, for the tax-and-trade. We've got to stop it.

Now, Republicans aren't going to stop it. Only the American people can stop it. Former U.S. Senator Everett Dirksen one time said when he feels the heat, he sees the light, Mr. Speaker. And what he's saying is when he gets calls and letters, faxes, e-mails, visits about an issue, he starts feeling the heat.

Most Members of Congress in the House and the Senate are going to be running for reelection at some point. Most want to get reelected. And so when their constituents contact them about an issue, that's how we feel the heat.

So, Mr. Speaker, if I can speak out to the American people and tell them what to do to defeat this, Mr. Speaker, what I would tell every single individual who wants to solve the economic problems is to stop this cap-and-tax bill that the Senate is debating, also this health reform bill that's going to destroy quality health care, put a Washington bureaucrat between every patient and their doctor and the decisions are going to be made by that Washington bureaucrat, not by the patient, not the patient's family, but by a Washington bureaucrat. It's not going to even cover everybody, and it's going

to be extremely expensive, according to the Congressional Budget Office.

If the American people really understood what was going on in those two bills, they would rise up and say ''no'' to their U.S. Senators, ''no'' to their Members of this House, to their U.S. Congressmen. They can call, Mr. Speaker, they can e-mail, they can fax letters, they can visit the district offices, State offices, and say ''no'' to cap-and-trade, ''no'' to Barack Obama's plan, ObamaCare, and it's critical that we do that, because if we don't, our economy is going to be destroyed, jobs are going to be destroyed, the environment is not going to be any better worldwide. In fact, I think it will be worse.

And we're going to go down a road towards exactly what Mr. Obama's good friend Hugo Chavez has taken in Venezuela. We have a clear picture of what's going to happen in America if we continue down this road that this administration and the leadership in this House and the Senate today, the Democrat leadership, has taken us. All we have to do is look off the shore of Florida at Cuba and see where America is going, because that's the picture of what this country is going to be like several decades from now if we go down this road the way we're going.

So I hope, Mr. Speaker, that the American people will understand. God says in Hosea 4:6, My people are destroyed for lack of knowledge.

Please, please, our American people need to be informed. We need to have that knowledge spread among the people. And the American people, Mr. Speaker, need to rise up and say ''no'' to ObamaCare, ''no'' to cap-and-trade, ''yes'' to jobs, ''yes'' to a strong economy, ''yes'' to creating jobs.

We're accused, as Dr. Foxx said, of being the Party of No on the Republican side. But, actually, we are the Party of Know, K-N-O-W. We know how to stimulate the economy, we know how to create jobs. We know how to be good stewards of the environment. And we will be. And that's what we need to do.

I thank the gentleman from Tennessee for yielding. God bless you.

□ 2100

Mr. WAMP. Thank you, Dr. BROUN. And before I yield to the gentleman from Virginia, I just want to follow up to say, in my 15 years here, I have tried to temper my partisanship. And this is not, to me, about Republicans and Democrats. It truly is about all Americans and how serious these choices that we're making are for everyone. I don't think either party has an exclusive on integrity or ideas.

The truth is, in 2009 neither party has a whole lot to brag about because, as Dr. BROUN said, the previous administration—and I think President Bush restored honor and integrity to the White House at the time it needed it. He and Laura Bush are two of the finest people in history. But we lost our party's identification over these last several years by spending too much, making mistakes, and not being consistent. But that doesn't mean that what's happening today is either okay or better. As a matter of fact, it's like the mistakes we made on steroids.

The budgets proposed by this President so far exceed all of the deficit spending that President Bush had over his 8 years. It's remarkable. It's actually breathtaking that we would be doing this. The whole question of ''Where are the jobs?'' this week came up over the stimulus. Nearly $800 billion of one-time spending. No way any analyst would say more than 15 percent of that spending would even create a single job. 85 percent of it was, frankly, pent-up welfare and social spending, their priorities that they thought hadn't been funded adequately over the last 8 years. They threw all that money at new government programs and more government spending. That's why the unemployment rate in Washington, D.C., is the lowest in the country today, because Washington jobs are growing, but jobs in the hinterland are shrinking.

Now, economies rise and fall. They're cyclical by definition. But the government can either make it worse or make it better by their policies. Unfortunately, these policies are actually making it worse. That's why the question comes after the stimulus and the bailouts and the borrowing and the spending, ''Where are the jobs?'' because we're going the other way the more you do that.

It didn't work in Japan. They called it ''the lost decade'' because they tried to borrow their way into success and a good economy. It doesn't work. You can't borrow your way out of debt. You can't spend your way to prosperity. Other countries have tried it, and it failed. And here we are making this big mistake. It's not a Republican/Democrat thing. It's whoever is doing it needs to stop for the good of the American people.

I yield to the very well-schooled ranking member of the Agriculture Subcommittee on Energy and former lead Republican on the Agriculture Committee, the gentleman from Virginia (Mr. GOODLATTE) for as much time as he needs.

Mr. GOODLATTE. Well, I thank the gentleman from Tennessee, my good friend, for yielding me this time and for organizing this excellent discussion about what we need to do about America's energy policy and about creating those jobs because we know we have the ideas. We have been talking about them for well over a year now in terms of the American Energy Act and things that we have been doing to try to bring this Congress in the right direction on the creation of new jobs by creating an America that is not dependent upon foreign sources of energy.

I have had the privilege of traveling to the gentleman's district in Tennessee to talk about one of those areas. We held a conference down there, talking about renewable fuels, particularly fuels generated by switchgrass and other forms of agricultural production other than corn, which has been such a problem in our country today. That is right there, and that is something that we can do.

We all support developing other forms of new technology. We want to find a cheaper way to build solar cells. We want to find a less expensive way to generate electricity from wind or to generate power from geothermal and other new technologies. We also want to encourage as much energy efficiency as we possibly can. All of those things will help our families and help our businesses. It will help them remain competitive and preserve and create jobs.

But we also know that it is absolutely important, if America is going to create new jobs, that we have to utilize the resources that we have in this country, that we have been dependent upon for a long time. And until you have new technologies, you don't raise the cost of the types of energy that people are dependent upon.

More than half of our electricity comes from coal, a resource which we have in tremendous abundance in this country. Twenty percent of our electricity comes from nuclear power, another area that the gentleman from Tennessee and I share a very strong common interest in, he having Oak Ridge in his congressional district and I having Lynchburg, a major nuclear power center in the country, in my congressional district.

The legislation that we voted on a month ago here in the Congress did nothing to promote the most greenhouse gas-reducing form of electricity generation, nuclear power. That, to me, seemed to be something that was completely and totally neglected in that legislation.

Coal, on the other hand, wasn't neglected. It was thrown out in a way that will raise the cost of electricity to my constituents and anybody in the country from areas that are heavily dependent upon electricity generation from coal, which, by the way, is most of the country.

So that was the wrong approach. The right approach is the American Energy Act. Many of us—I think everybody who is here this evening—came back here to Washington last August when gasoline prices were $4 a gallon and oil was $140 a barrel. We took the floor in a darkened Chamber day after day after day to talk to the people who were touring the Capitol. People around the country were aware of what we were doing to tell the story of what needed to be done.

We came back into session in September, and that was completely ignored. And we never have revisited the need to have a comprehensive energy act where, if we really made this a top priority of our country, we would become free of dependence upon foreign

oil and other foreign sources of energy in 15 or 20 years. And even more importantly, we would create millions of jobs, exploiting those resources that we have in this country.

This is not a new idea. This is how America came to be a strong Nation, a competitive Nation, a Nation with millions of jobs. The reminder of the importance of doing this is right there above us on the wall, above our Speaker's rostrum, above the American flag, above our Nation's motto, ''In God we trust,'' at the very top of the wall, a famous quote from Daniel Webster that says, ''Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests, and see whether we also, in our day and generation, may not perform something worthy to be remembered.''

That saying, more than 150 years old, is every bit as important today as it was back when Daniel Webster said it. That's what we have to hearken to; not the idea that somehow government will solve all of these problems, that government can provide people with all the health care they need, paying for it with taxes on small businesses and losing jobs, mandating all kinds of new agencies and institutions, more than 30 to run this crazy program; not with the cap-and-tax proposal that will cost American jobs, raise the cost of living for every American, make it harder for manufacturers and farmers and others to be competitive with other countries around the world that have no intention of engaging in a practice that raises unnecessarily the cost of the basic ingredient for manufacturing and agricultural success and really enjoying a good standard of living for anyone's life, and that is having access to affordable sources of energy.

It is certainly not going to be solved by having this government spend through the roof. We saw back in January the most amazing single appropriations bill ever, the so-called stimulus package to create jobs. Now here we are 6 months later, and the question is being asked day after day after day, not just by those of us here in the Congress but by people all across America, ''Where are the jobs?''

Well, you don't get them by government spending. You get them by returning to the ingenuity of the American people, their hardworking spirit, their knowledge that it is the free enterprise system that will bring this economy back. But we delay day after day after day and dig the hole deeper and deeper and deeper when we pile up debt like this—$1 trillion. That is a stack of thousand-dollar bills 63 miles high.

And then in March we went on to pass the budget for next year. We said, ''Ooh, I'll outdo that.'' I voted against it. Mr. WAMP voted against it. Others here talking tonight voted against it. Every Member of our party voted against it, but also a lot of Members in the other party voted against a budget that has a $1.2 trillion deficit for next year. That's a stack of thousand-dollar bills 75 miles high, which reaches up into outer space, and we don't see any end to it.

The 10-year projection for the budget passed by the majority party and the President never sees it going below—the highest deficit ever before this year was $450 billion. It never gets below $600 billion ever again as far as the eye can see. That will cost jobs. That will raise the cost of living. That will raise interest rates and inflation. It is devastating to our country.

We need to return to sound fiscal responsibility. We need to return to an opportunity to have an American energy policy that creates millions of jobs here by drilling for oil offshore and on Federal lands; by extracting the huge resources we have of natural gas; by building new, safe, more modern, latest-technology nuclear power plants; by using clean-burning coal technology and advancing that and developing new technologies. All of these things coupled together will lead to a bright future. But the path we are on now worries all Americans, and we need to turn off of it as quickly as possible.

I thank the gentleman again and hope that the message that sits on our wall, let us develop the resources of our land—not Venezuela, not Nigeria, not Saudi Arabia. Let us develop the resources of our land. That will lead to the creation of the jobs that people are looking for and the restoration of our economy. I thank the gentleman.

Mr. WAMP. The gentleman's comments are spot-on. We're grateful he came and participated and for his really brilliant leadership here in the House.

Another one of our smarter Members from the Republican side is the gentleman from Michigan. There are other Members coming to the floor, so I am going to withhold my comments.

I yield such time as he may consume to the chairman of the House Republican Policy Committee, THADDEUS MCCOTTER of Michigan.

Mr. MCCOTTER. I thank the gentleman from Tennessee.

When the cap-and-tax national energy tax bill was passed from the House, the Congress went on a break, and when people went home on break, they found out how much the American people did not like the cap-and-tax bill that this House passed. In fact, I remember being home—I am sure a lot of Members had this moment, both people who voted for it and voted against it. You go to the grocery store, somebody might recognize you. They would look around. They would walk up and they'd say, Are you my Representative? And you'd say, Yes. They'd look at you and look around again, and they'd say, Dude, this is crazy. This cap-and-tax is crazy. I would just say, Yes, it is. And I said, Especially in Michigan, our State where we have a 15.2 percent unemployment rate, where we are a manufacturing giant now in difficult times, why the Federal Government would make it harder to manufacture in the United States, why we would be but a Senate vote and a Presidential signature away from a radical, ideological imposition on America's energy future that will raise people's energy taxes and will kill their jobs.

I still can't figure out why we would do this. It is absolutely insane to add massive government spending, debt and regulatory burdens on a recessive economy, and why you would threaten to raise tax rates on people at the very time we need the entrepreneurial genius of the American people to grow this economy, create jobs and start to stabilize ourselves for the future and the international competition in this age of globalization.

Now, when I say it's insane, people say, Well, isn't that a little harsh? I say no. I'm 43. As I was growing up, we had a new book put in front of us in school. It was called Ecology. It had a nice picture of the world on it from outer space. I was like, Oh, this is nice. And in the course of learning about ecology, my generation, Generation X, was told that the greatest threat we faced wasn't the Soviet Union. I tended to disagree even at an early age. I was a bit precocious about the Russians.

They told me in my generation that we would freeze to death in the next ice age if we didn't reduce pollution. Flash forward. My wife and I, our children are in school. Today our children's generation is being told that unless the government regulates the economy and raises energy taxes, they will face a climate change in which global warming will destroy their way of life.

So we have gone from ice to fire, and yet the solution remains the same, oddly, from the proponents of the cap-and-tax legislation who say, We have to have government control of the weather, raise your energy taxes, dictate your lifestyle and devastate your jobs all so that we can prevent global warming. This from the people who told me there was an ice age coming.

□ 2115

That, to me, is not sane. That is not realistic. That is not based on science. That is based on ideology, and ideology applied to a nation at a struggling time leads to dire ramifications for the American people.

I want to show you the extreme to which this goes. When in the majority the Republican Party heard about the debt dangers the United States faced, especially debts from nations such as Communist China, I agree with that. Now that the Democratic majority and President Obama are racking up unprecedented levels of debt and unprecedented levels of spending, I want to show you what the Commerce Secretary said about cap-and-trade regulations in our relations with Communist China. This is from The Wall Street Journal, But yesterday, Commerce

Secretary Gary Locke said something amazing: U.S. consumers should pay for Chinese greenhouse gas emissions. You see, the Communist Chinese, in one of the ironies of life, are tending to protect their manufacturing base more than the free market—United States—from governmental intrusions, regulations, and taxation.

Now, what Mr. Locke, our Commerce Secretary, said was this. It's important that those who consume the products being made all around the world to the benefit of America. And it's our own consumption activity that's causing the emission of greenhouse gas. Americans need to pay for that.

I want you to think about this. After President Clinton signed the permanent normalization trade relations with Communist China, we in Michigan, before the rest of the country, started asking where are the jobs. Why is manufacturing in America hurting? Why is it going offshore? Where is it going? We knew where it was going. It was going to Communist China.

So we have a two-for here. We have the Commerce secretary saying that he doesn't seem to mind that the jobs are going over there and that what we really need to do is, if the United States decides to continue to pass legislation that impedes and impairs and harms its manufacturing base, not that we should seek fair trade with Communist China, but what we should do is borrow money from Communist China with interest to pay them for their greenhouse gas emissions to get them to adopt the very thing that American people do not want to adopt in America. I want you to think about this. I'm going to borrow money with interest from Communist Chinese to give to them so they can be environmentally sound.

Now, I do not understand why, given what happens to our party here in the House, why the Commerce Secretary did not say that the Communist China is the party of ''no.'' And I think it would have been appropriate. But I also would not expect that from an administration whose vice president says we have to keep spending to keep from going bankrupt. I had no idea that that meant that not only would he spend the money here, he'd spend the money over in Communist China and borrow from them to give it back, leaving you, the American taxpayer, with the interest.

And it also would not be surprising to me from an administration who said we have to spread the wealth around. I don't think the President said quite how far he said he was going to spread your wealth. I don't remember him saying that that the world would be a better place in, we take U.S. taxpayer money, send it to Communist China to make red bureaucrats green. I would have liked to have heard that. I'm sure a lot of people would have liked to have heard that around October last year where their money was going to wind up, rather than announced now via the Commerce Secretary.

The frustration that the American people feel is that they realize our prosperity comes from the private sector, not the public sector. They understand that we do not want a radical cold-turkey shift from fossil fuels into some nebulous green energy future. What we want to see is maximum American energy production, commonsense conservation and free-market green technological innovations that will transition us into a more environmentally sound economy of the future.

What we see in an ideologically rife House, Senate, and administration is the opposite. They want to do cold turkey on fossil fuels and the existing economy and move us into a radical, and again, ill-defined green economy that in many ways—with the absence of nuclear and others—proves impossible to obtain in a reasonable period of time without doing more damage to a recessed economy.

I thank the gentleman from Tennessee for his time.

Mr. WAMP. I thank the gentleman from Michigan.

Before I yield time to the gentleman from Louisiana, Mr. Speaker, can you tell me how much time we have remaining?

The SPEAKER pro tempore. I believe you have approximately 10 minutes.

Mr. WAMP. I just want to point out that I believe there are shared goals in the House, but there clearly is some great difference in the approaches again to these goals. And the problem with these two big issues that are pending before the American people is that they involve energy and health care. And energy is the one big issue that can bring us to our knees economically. We've seen that because of the price of oil, the availability of electricity can paralyze our economy, and frankly, the cost of this move is heavy, the price is high.

And that's why it is so important—really, the big issues in the world today clearly are water—it's a big issue around the world. It's going to be scarce, harder to come by, can create conflict. Energy is going to be scarce, hard to come by. We are all interested in air quality—and the environment is important—but there has to be a balance of regulation.

And then this issue of health. The American people do not want the government to get between their health care provider and themselves, particularly between the doctor-patient relationship. And I have to tell you this leap does that. And you don't see people leaving here to go to Canada and Great Britain now for their health care. It's the other way around because they've already gone on these systems that are being proposed here.

I want to come back before the bottom of the hour and talk about nuclear. But I want to yield to a member of the Commerce Committee, the gentleman from Louisiana who's brought great expertise to the Congress, is an energy production expert because of the State that he comes from, and knows that we have to increase the energy capacity in order to maintain our competitiveness globally today in a global economy. We can't restrict our sources of energy and stay competitive.

Mr. SCALISE from Louisiana is recognized for such time as he may consume.

Mr. SCALISE. Well, I thank the gentleman from Tennessee. I appreciate your leadership on this issue and the fact that you are willing to come here tonight and talk about some of these challenges that our country's facing. And when you look across our country today, people are facing many challenges.

But I think what's even more concerning to people when they look here in Washington, and they look at what's happening in the Congress, and they look at what this administration is doing, I think it's frightening people across the country. The fact that they see these policies that are being proposed, and some of these policies that have actually passed. In January, when President Obama took the oath of office, one of his first steps was to pass this unprecedented spending bill that he called the stimulus bill and he rammed it through Congress, a bill that everybody knows that nobody that voted for the bill had time to read because they rammed it through so fast, because they said it needed to pass because it was going to stop unemployment from reaching 8 percent. Well, now we're at 9½ percent unemployment, and that number is climbing.

The problem is our deficit is climbing even higher. We exceeded a trillion dollars in deficit just a week ago. Unprecedented in our country's history. And people are looking at that and saying, Why is it that every American family is cutting back to manage and live within their means? State governments have been cutting their budgets to live within their means. Why is it that Washington and Congress, especially, is spending money out of control at a rate that is unprecedented, and it cannot be contained?

And then they look at the policies. And I think that's what's concerning people especially today. And they look at this crazy energy proposal, this cap-and-trade energy tax and this proposal to have a government takeover of our health care system. And clearly reforms need to be made to health care, but there is bipartisan agreement on a number of reforms that can be made to allow people to have the portability so if they move from one job to another, they can take their health care with them.

But a real competition in health care or address pre-existing conditions, there is bipartisan agreement on all of those issues. Not one of those is in the President's bill because he chose to go it alone. He said, I don't need to work with Republicans. And in fact, he's not even working with moderate Democrats. He's decided to go with the most

far extreme leftists that want to just have a government takeover of health care where, literally, a bureaucrat in Washington that's not elected, didn't even go through a Senate confirmation, can have the ability to tell you which doctor you can see or even if you can get an operation.

And we've seen the devastating results in countries like Canada, in England, where they've done the exact same thing. And now those people who have the means in those countries come to America to get health care. Because even with our flaws—and we've got flaws in our system that need to be worked out—but even with our flaws, we have the best medical care in the world. And yet they want to destroy that system by having a government take it over and then add $800 billion of new taxes on the backs of American families.

And if that wasn't enough, that leads us into the topic that I know my friend from Tennessee really started off talking about, and that's energy. This cap-and-trade energy tax that actually passed this House, and I sit on the Energy and Commerce Committee and we debated that for weeks, and I strongly opposed their bill because their bill doesn't address the energy problems in our country. We don't have an energy policy in America. Imagine that. The greatest country in the history of the world, the most industrialized nation in the world, doesn't have a true energy policy. We've got the ability to create a comprehensive energy policy that actually eliminates our dependence on Middle Eastern oil. And we filed a bill.

Some people would lead you to believe there is no alternative out there. It's just this cap-and-trade energy tax or nothing.

Well, there is a different approach. There was an approach called the American Energy Act, which I'm proud to be a co-sponsor of. I know my friend from Tennessee is a cosponsor of. It's an all-of-the-above policy. It says yes, we should pursue those alternative sources of energy like wind and solar power. But unfortunately, those technologies aren't advanced enough yet. You can't run your car or house on wind or solar. You surely couldn't run a hospital on wind and solar because they're intermittent sources of energy, and so you need some other forms to keep power generating in this country. And so yes, you have coal production and we should advance the technologies to make clean coal technology.

But you also need advance nuclear power; nuclear power emits zero carbon. It's a zero carbon emission source of energy. Eighty percent of Europe is on nuclear power now. It wasn't on their bill. They discouraged it. We need to move towards those other alternatives.

We also need to recognize the existing types of energies we have in our country, and that's oil and natural gas. It's also some of the new sources and technologies that we have, like these tar sands in the Midwest which right now are prohibited from being explored by Federal policy. In fact, if you go into the Gulf of Mexico, there are many areas there where there are huge reserves of oil and natural gas that are banned from even being explored.

I've taken a few Members out to the Gulf of Mexico a few weeks ago. We went out to the largest natural gas exploration facility in the country. It's called Independence Hub. Nine hundred million cubic feet of gas a day. Actually represents 2 percent of our entire country's natural gas needs. It's out there in the Gulf of Mexico, and they have greater capacity. In fact, we keep finding more and more reserves of natural gas every day. In north Louisiana, I'm proud to have gone out and visited the area in Shreveport, Louisiana, called Hainesville. Hainesville shale find is the largest new find of natural gas in our country's history. It was just found 3 years ago, and we continue to find more and more reserves like that.

So there are all kind of natural resources that our country can use, and yet Federal policy blocks it. And the only answer President Obama gives us is this cap-and-trade energy tax—which actually limits our ability to explore American resource of energy and gives greater power to those oil OPEC barons in Saudi Arabia and other countries in the Middle East that don't like our way of life. So we've got to get a comprehensive energy policy, and we've got to move away from this idea of taxing businesses, taxing families, raising electricity costs—which their bill does—and go to a policy that adopts a comprehensive, all-of-the-above approach.

So here at this time I'm going to yield back to my friend from Tennessee. But we're talking in the same week that Neil Armstrong and Buzz Aldrin and Collins landed on the Moon, the Apollo 11 mission. The 40th anniversary this week. I had the honor of meeting them. True American heroes. When I talked to Neil Armstrong earlier this week, what I told him was, What you did, what your crew did and what all of the NASA officials did, they inspired a Nation because they showed us what the greatness of America can be if we truly set our minds in a bipartisan way. And back then under President Kennedy when he said and set that objective that we were going to go to the Moon by the end of the 1960s, the entire country came together, Republicans and Democrats. We can do that again.

But President Obama's got to set aside the bipartisanship and this extreme radical policy, and we can get there.

□ 2130

Mr. WAMP. I thank the gentleman. As I close out our hour tonight, I want to say when the question is asked, where are the jobs, if all of the applications pending right now before the Nuclear Regulatory Commission for nuclear plants were approved, that would be 17,500 permanent jobs and 62,000 construction jobs. Nuclear is maybe the single largest step towards stimulus, economic opportunity and global warming progress, all of those things that we need.

We can reprocess and recycle the spent fuel. This administration doesn't want to bury it in Yucca Mountain. They won the election. That's their prerogative. Let's move as France has, and Japan and other countries, towards taking the spent fuel and turning it back into energy. We can deal with this. We built 100 reactors in less than 20 years, and now we know so much more about it, if we said we were going to build another 100 reactors in the next 20 years, we would have a robust U.S. economy with new electricity capacity.

And when we bring on new capacity, we will lower the cost instead of increasing the cost. This regulatory cap-and-trade scheme increases the cost, reduces the supply, by definition, because we're going to need new electricity and energy capacity. So tonight we just close, Mr. Speaker, by saying that American innovation and entrepreneurship, free enterprise, can help solve these problems without the government burden.

THE PROGRESSIVE MESSAGE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Minnesota (Mr. ELLISON) is recognized for 60 minutes as the designee of the majority leader.

Mr. ELLISON. Mr. Speaker, what a pleasure it is to claim this hour, this Special Order, on behalf of the Congressional Progressive Caucus. The Congressional Progressive Caucus is the body of Members of Congress who believe that we're all better off together than we are separated and apart. We believe that we need a mixed economy, in which, yes, people are entitled to pursue their private dreams and make their money, but also there are certain things that we should do together, things like take care of the water, things like provide for transportation, things like provide for education and things like health care.

The Progressive Caucus is the body of people here in the Congress who stand by the idea that the civil rights movement was a great moment in American history, that FDR and the New Deal was another great moment in American history and that the steps forward to end slavery was a great moment in American history.

And yet the greatest moments of American history have not yet been written but are really still in front of us. We still have more people to bring into the ambit, bring into the embrace of this great American ideal, the progressive ideal, this idea that America

has not yet done the best it can do. We have more people to include, more people to help find that internal light of their own and that this is the time to walk forward into that history.

We have the Congressional Progressive Caucus that comes together today. We started out, Mr. Speaker, as a group that said, we would like to see in the area of health care a single-payer system. This was our position. But we've compromised, because we're practical progressives. We said we can have health care reform if we have a public option, but we can't go any further than that. There must be a public option in the health care plan. And it looks like we are going to have one. We are excited about the prospect of seeing this public option. It appears as though it is moving forward, Mr. Speaker. And it's a good thing because it's what America needs. It's what America needs.

This is the Progressive Message, and we are here to talk about health care tonight. Health care, Mr. Speaker, is the boiling issue. It is the issue that is all the talk around the Congress; it is the issue that is all the talk around America. The fact of the matter is, Mr. Speaker, it is a fact, it is a belief and a firmly held belief of my own that health care is a movement that is essentially a civil rights movement. It has the same level of intensity as that movement. And it has the same urgency as that movement.

I'm inspired by the words of Martin Luther King, Mr. Speaker, who said that we have the fierce urgency of now, the fierce urgency of now, that we can't say that somebody else can get their freedom at some other time, at a more convenient time, at a time when it makes sense and is comfortable for everybody.

No, he said civil rights now, not later, and not have to say today we have got to have health care for all, right now, not later. The fierce urgency of now, Mr. Speaker.

I want to let you know, Mr. Speaker, that when I was watching television last night, I was tuned into President Barack Obama. And I want to let you know that I was very proud of President Obama last night, Mr. Speaker. President Obama came before the American people and articulated a case, as skillfully as any arguer or orator ever could, for health care, health care now.

The thing that really grabbed my attention, Mr. Speaker, is when he was asked by a reporter, why does it have to be now, and the reporter asked in somewhat of a challenging and slightly derisive tone of voice, why does it have to be now? Can't it just be some other time? Mr. Speaker, President Obama said, you know, I can't delay it when I read the letters that I get. The letters tell me that we have got to act now. We can't put it off another day. We've got to do it now. And I actually was cheering at the television screen as President Obama was saying these things. It's so nice to have a President that you truly agree with and believe in and think is a real champion for the people who elected him.

So in that spirit of President Obama saying that the letters and the stories that people are going through propel him toward action, let me share a few stories of my own, Mr. Speaker, because my constituents write me letters too, and those help move me and motivate me toward action for true health care reform. Instead of my hitting you first with the facts and figures and all those things, I just want to start out tonight, Mr. Speaker, with stories and letters from my constituents.

Let me talk about Mary from Minneapolis, Minnesota. Mary says, my daughter needed her wisdom teeth out. At the same time, with insurance, we were told to pay $375, which we did, then got billed over $1,000, resubmitted, eventually the amount was reduced to $750. In the meantime, my husband got no paycheck. I have calcium deposits in my back which make it difficult to walk, and I can't afford the copays, so I'm waiting until it's so bad that I can't walk.

Mr. Speaker, Mary needs help. Mary needs a caring, committed government that is listening to her and is going to help bring forth legislation which can allow her to work with her doctor and her health care provider with the solutions that she needs. No government official in the middle between Mary and her health care provider. That's nothing but spooky, scary stuff, and it's not true.

Let's hear from Denise: I find more and more often that my family and I are skipping doctor visits for preventive care, and when we would have made a visit to the doctor in the past, but now can't afford the co-payments to be seen. This is especially true for childhood illnesses such as allergy visits or medication, dental problems that could potentially be serious, and injuries that, in reality, should be checked out by a doctor. My family is insured. Yet because of our current employment situation, combined with rising health care costs, it has come out of reach to have the kind of health care we have enjoyed in the past. I feel that we are being left behind for an inability to be able to bear the burden of the cost. This may mean that we will pay dearly in the future for things that could have been prevented or less serious had they been able to see a doctor initially.

As I listen to Denise from Minneapolis's story, I'm thinking, Mr. Speaker, about the global, the larger trends in our society that are sweeping her up and affecting her. She's talking about being insured, having a job, but having to go without because of the costs of copays and premiums. Well, Mr. Speaker, one of these startling facts that you might want to know is that over the last 9 years, premiums have doubled for people who have insurance, and while wages have been flat, premiums have been increasing much faster than wages have, and this has made a squeeze on the American household budget. Denise needs a hand, Mr. Speaker. Denise needs somebody to care.

Janice from Golden Valley, Minnesota: I've worked every day since I turned 15, and I'm currently 51. I'm married with two teenage children. I have a college degree. We have always lived a balanced and frugal life. We do not take exotic trips and mostly buy generic groceries and thrift or discount store clothing. I do not and never have smoked or drank, and I have been in my job for 20 years, yet I bring home less and less each year due primarily to health care premiums and costs. Health care premiums and copays cost about 25 to 30 percent of my income. Health care premiums cost me more than my Federal, State, Social Security, union dues and retirement plan deduction combined from each paycheck.

The increase has been so great that we have stopped being able to contribute to savings for 4 years. The one thing I fear more than anything is me or my family member getting sick because of what treatment will cost even beyond the premium costs. When I have a strange new sensation in my eye or a vein hurting in my leg or a dull pain in my chest, I just pray it will go away on its own because I'm afraid of what it will cost me.

We pay out so much for health care insurance, yet we cannot afford to really even use it. And I feel even worse for those who have no health insurance at all. This reflects badly on what America has become, a place where only the wealthiest survive and profit by a few takes priority over the basic needs of all.

Mr. Speaker, let me tell you about the story of Anita. I'm armed with statistics tonight, Mr. Speaker, and I have them. But they don't mean a thing next to these stories of these citizens, these good, honest Americans from my State of Minnesota whose stories I want to bring to you tonight.

Let me talk to you about Cynthia from Minnesota. Cynthia says: As an asthmatic and a mother of an asthmatic, I would think the insurance company would be happy that we go for our annual check up and would be willing to cover our medicines so that we stay healthy and don't end up costing them more. Much to my surprise, the insurance company would not cover our asthma checks, and the cost of our prescriptions has gone through the roof. Unfortunately, our meds are not part of the formulary drug list. What ends up happening is I cover my child's meds, and I don't get any. I just hope we are near each other if I have an attack.

Mr. Speaker, that is no way to treat Americans who are trying to make it in this society.

How about this one. Maria from Minnesota: My daughter is 24. She has had a polycystic ovarian disease since she

was 15 requiring three surgeries, five hospital visits and many, many office calls. This is a chronic condition which will probably result in infertility or at the least difficulty in achieving pregnancy. This is physically draining, as she is often in pain and has been on many narcotic pain meds, including Vicodin, Percocet and OxyContin.

In addition, the idea of not having children is a tough thing to face as a teenager and young adult. If that wasn't enough, she also has a degenerative disk disease in her cervical spine. This has resulted in a herniated disk and chronic constant pain. Again, there is no cure for this and no real treatment. Since she is an adult, she no longer is eligible to be under our insurance plans. She has a BA degree, but has not been able to find long-term employment in her field which would offer benefits. Rather, she is managing a bar restaurant, which is a good job, but it's not what she went to school for.

□ 2145

She's working as a bartender at least 60 hours a week, on her feet all the time. She pays her own bills, lives on her own, but because of her chronic condition, has not been able to get COBRA insurance and, instead, has a policy through a private insurance company paying over $200 a month, which doesn't cover many of her needs. This is outrageous.

Please, please understand she is not sitting at home waiting for a handout. She's so motivated and such a hard worker, but the insurance costs are eating up her paychecks. She's my hero, as I can't imagine facing these conditions and then having the minimum coverage while paying the maximum bill.

Mr. Speaker, I just thought I'd start off this Progressive Hour with some real stories from real people, real stories for real people who are dealing with a very difficult situation. Mr. Speaker, let's not relegate them to the status quo.

My colleagues, many of them on the other side of the aisle, are essentially saying let's keep it how it is. Let's stop moving so fast. Let's not let this process move along too quickly. And some have been caught offhandedly making the comments that they think that they can take President Obama down. Is that what this is about, taking somebody down?

This should be about lifting somebody up, the American people, lifting them up, not trying to score a partisan point in a political game. This is real life people are going through, real life like the Minnesotans that I just talked about. But as I speak here tonight, Mr. Speaker, I can assure you that in every State in this Union and in every territory of this country, there are stories exactly like these.

Mr. Speaker, I want to talk about what the bill actually does a little bit, but before I do, I want to talk a little bit about the cost of this health care reform because, you know, first of all, there is this big fear thing around cost, and this is one of the major ways that some detractors are trying to stop things. So first let's talk about the individual cost, the cost to the person.

Without reform, the cost of health care for the average family of four is estimated to rise $1,800 every year for years to come, and insurance companies will make more health care decisions. Okay. Status quo, hand the insurance companies 1,800 bucks every year. In 2 years that's 3,600, in 4 years it's more than that. The fact is this is the status quo. And I was so proud to hear President Obama last night saying, if somebody offered you a plan that was going to double, that was guaranteed to double in cost and was going to push more people into the ranks of the insured, would you want that, because that's what we have now. Again, another brilliant oratorical flourish rooted in the truth.

So one cost is the 1,800 bucks every year estimated to increase, but let's talk about the individual costs a little bit more. If we have health care reform, if we have health care reform, Mr. Speaker, no more copays or deductibles for preventive care. That will help a family budget. No more rate increases for preexisting conditions, gender or occupation. That will help the family budget. No more annual cap on out-of-pocket expenses. That's going to help the family budget. Group rates of a national pool, if you buy your own plan, that should hold costs down. Guaranteed affordable oral, hearing and vision care for your kids, that will definitely help the family budget out.

The fact is that this bill is designed to help families deal with the escalating costs of health care. It's not about increasing costs or increasing debt or anything like that. It's about helping the family budget stay in a place where families can actually get ahead a little bit for the first time in a long time, for the first time under a budget, under an economic philosophy where the rich didn't have enough and the poor had too much in the minds of some people.

The fact is, Mr. Speaker, we need to talk about costs tonight. We need to talk about it, and I want to go now to the recent—the CBO budget scores have been tossed around a lot. We've been hearing a lot about what the CBO says. The CBO says this, the CBO says that. Let me talk about what the CBO actually says, really says.

On July 17, the Congressional Budget Office released estimates confirming that the health care insurance reform policies of H.R. 3200, America's Affordable Health Care Choices Act, are deficit-neutral over a 10-year budget window. That means that they don't add to the budget. They're deficit-neutral, even producing a $6 billion surplus.

CBO estimated that the cost of the bill's insurance reforms was $1.042 trillion, while the bill's cost savings and revenues totaled about $1.48 trillion. This is over a 10-year period. CBO estimated that these reforms will provide affordable coverage for 97 percent of Americans 2 years after the program starts. Now, that's really something, Mr. Speaker.

It was also reported in the press, CBO also estimated that the overall bill has a net cost of $239 billion over 10 years, but this is entirely due to additional provisions in the bill to maintain current Medicare physician payment rates costing $245 billion over 10 years by preventing scheduled draconian cuts.

The House agreed earlier this year that this $245 billion cost would be exempt from PAYGO. The President's budget acknowledged the flawed Medicare physician payment formula and allotted money to address it. Then, in voting for the budget resolution in April, the House voted to exempt Medicare physician payment provisions from PAYGO. The statutory PAYGO bill to be considered by the House this week, passed through this House this week, also exempts these provisions from PAYGO.

Mr. Speaker, let me also add that this bill preserves and increases options, plan options. Those eligible for the exchange—and I'll talk about that in a moment—choose from all options, private and public. No one can steer them to any particular plan.

CBO projects that by the year 2019 about 9 to 10 million Americans, or a little more than 3 percent of Americans, will choose the public option. CBO projects that the most of these using the exchange will choose private sector plans. This confirms that the bill creates a level playing field where the public option will compete with private plans on a fair basis and that the public plan will not necessarily push them out of existence.

Again, I'm a single-payer advocate, but I wanted to talk about, just a little bit about this cost, because this is the very thing that detractors are using to try to scare Americans away from real health care reform with, and I think that Americans deserve better. They deserve the truth, and they should know that this plan is one that's designed to help save them money. Let's talk a little bit more about health care costs.

Health care costs for small businesses have grown 30 percent since the year 2000. The average family premium costs $1,100 more per year because our health care system fails to cover everyone. The average individual premium costs $410 or more.

The fact is we're joined here tonight by one of the great, great, great stalwarts and heroes of health care reform, none other than JOHN CONYERS, chairman of the Judiciary Committee, second-most senior Member of the House of Representatives.

Good evening, Congressman CONYERS.

Mr. CONYERS. Would the distinguished gentleman yield to me?

Mr. ELLISON. Certainly I will yield to the distinguished gentleman from Michigan.

Mr. CONYERS. Thank you, Mr. ELLISON, and to our colleague and friend, STEVE KING, who is also on the floor enjoying the proceedings.

I came down merely to let you know how much I admire and respect your determination to make sure that every American can listen and learn about the importance of health care, the issues as you see them developing, and what it means for all of us to come up with the best possible result that we can.

The 44th President of the United States brought his case to the public last night, a brilliant explanation, very persuasive, very intellectual, and then he answered more than a dozen questions from the press. It was very instructive. I was moved by that last night, and I'm moved by the gentleman from Minnesota (Mr. ELLISON) this night as well, because what you're doing is so very, very important.

I get calls in my office, and I have the unique tendency to answer my own phone. And people are very surprised when I answer the phone and they're telling me what to tell the Congressman, and I explain to them who I am, and they're pleased and flattered by that. But a lot of those calls are about health care. Some of them are very moving, like some of the stories that you've related here tonight. Other people are not happy about health care, and some hope that we don't come up with a bill, a few. But most people realize that this struggle has been going on for 30, 40, 50 years.

Harry Truman began talking about universal health care, and then Lyndon Johnson was able to come through with Medicare. And in respect to Harry Truman's determination, although unsuccessful, he went to the Harry Truman Library in Missouri to sign the Medicare bill.

There's a rich history, a legacy about how we've gone through these different changes. And now the President, after only a few months, calls us together in the White House at a White House summit to declare his determination to do more about this system—we call it a system. It's a broken-down, nonworking system—about health care. And so it's so interesting to study what all of our Presidents, what our leaders have done and why it's so important when we think of the millions and millions of people that don't have health care.

I'm going to say something here tonight that, to me, I want to put in perspective the issues. The plan, as I understand it, that's being proposed does not relieve everybody of the threat of not having health care. It is not a universal system.

Let's put these things on the table. I am for a universal system of health care. I've worked with doctors, medical scholars, nurses for years now, and they say that that's the only way we're going to reduce costs. And for anybody that's talking about—it's bad enough that we don't have single-payer health care involved in this, except for the tremendous efforts of the gentleman from Ohio, DENNIS KUCINICH, who's got it in one of the committee's bills that would allow States to develop health care if they chose an option.

□ 2200

But we don't even know what the public option is finally going to be. There are those that don't even want to give the opportunity of Americans to choose between their health care plans, and the controls of the insurance industry have been legendary. It's been written, spoken about, people's own experience.

And then if I hear anybody talk about the government controlling medicine, it's the health insurance companies that are controlling medicine, not the doctor.

So I just want to listen, take in the wisdom that you have brought to this body and enjoy this discussion. I hope any other of our colleagues that want to join in this can participate as well if they choose, and I'm just so proud you're doing it tonight and that I can just add my comments to this decision of yours to once again take out a Special Order to discuss this subject.

Mr. ELLISON. Well, I want to thank the gentleman from Michigan, Chairman CONYERS, for coming down here. We have a chance to do a little bit of give-and-take. Actually, I'd like to ask the gentleman a few questions if the gentleman would take a question.

And my question is for you, Mr. Chairman, is why do you author H.R. 676, the single-payer bill, and why did you work so hard to try to get so many authors in the House? And you ended up getting about 80-plus authors. And why did you go all over the country, to my State of Minnesota, and talk to so many people? Why did you work so hard to push this idea of single payer forward?

I yield to the gentleman.

Mr. CONYERS. Well, improving our health care system is the most single fundamental domestic issue that we can deal with. The second most important is creating a full employment society. And both go together, because if you've got your health and don't have any employment, I don't know if you're in worse shape than a person who has employment and doesn't have any availability for health care. They're both fundamental rights that are inherent in a constitutional system of democracy, and we've been working on this so for long.

I remember when the First Lady then, Hillary Rodham Clinton, called us into the White House and asked us to hold back on our push for universal single-payer health care when her husband became President, because she, with Ira Magaziner, was going to work on health care reform. We did. We met. I remember and said, look, we should honor her request. There had never been a First Lady in the White House designated by the President to work on an issue this momentous, and so we pulled back. It did not succeed. It wasn't her fault. She had no way of estimating how powerful the corporate medical sources in health care were and that were determined not to make this universal or to make any changes at all.

And so this, to me, is one of the highest issues that all of us in the Congress can repair to, and I'm so proud that we now have a total of 85 Members of the House now on H.R. 676. I'm proud that we have it in the health care reform as an option for States so that we can overcome some of the restrictions that will be relieved through the Kucinich amendment to allow States that want to begin this global experiment.

That's how it started in Canada. It was a province in Canada that first passed it, and then another, and yet another. And of course, Canadians are overwhelmingly, extremely proud of the system that they have. No, it's not perfect, but very few things in this life are. They're working on it, and we're not copying it. We're looking at health care systems from around the world, everywhere, all countries that have them and the problems in countries that don't have them, and so this is an exciting global setting.

I was even in China not too long ago examining their system, which sometimes they're very efficient, and in other places, they don't exist at all. But we're putting the study together so that the plan that we create is an American plan, created by us, benefiting from all the improvements and problems of other countries that have universal health care systems.

And so even though my primary concerns are the Judiciary Committee issues, some of which tie into health care, the bankruptcies caused by health care are in our committee, and now we're having hearings on medical bankruptcies next week in the Judiciary Committee, and I know my colleagues on both sides of the aisle will no doubt attend these hearings.

And so there's a relationship. There's a relationship in creating a full employment program. I will be talking to some of the Caucus members tomorrow morning about unemployment and the importance that we sever the link between unemployment and health care, because what has happened in Detroit is that, as the plants are closed and people laid off and no longer have employment, guess what? They no longer have health care either.

So the relationship of employment-based health care to unemployment is profound, and a person without employment needs health care guaranteed and assured, needs health care, whether he's working or not. He needs it even perhaps more than when he is working.

And so as the unemployment continues unfortunately to rise, more and more people who once enjoyed health

care from the employer-based system don't have it anymore.

Mr. ELLISON. If the gentleman will yield for another question, do you think, Chairman CONYERS, that your advocacy for single-payer health care, H.R. 676, which was widely supported, wildly supported in my district when you showed up to talk about it in Minnesota—we packed the house. Everybody was so excited. We've had several other hearings on health care since then. People always mention that hearing because the spirit was so high. Do you think that that effort for a single payer actually helped gain enough momentum to at least make sure we had a public option for consideration in the current version of the bill?

Mr. CONYERS. I think a distinct relationship, and there are many people that have told me—and I'd like to compare it with your experience and our colleagues'. There are those who have said, first of all, they're disappointed that a single-payer system, which is the most popular in the country and has the most numerous supporters in the Congress of any other plan, did not get more consideration. But they said, well, at least we ought to have a strong public option at a minimum, and so, yes, there is a relationship between those who still seek a single-payer system who demand that there be a public option.

Unfortunately, there are some of our colleagues who are still not persuaded that we need a public option even.

□ 2210

There are reservations in the other body. And so it still remains to be seen what is really going to happen in that regard.

Mr. ELLISON. If the gentleman would yield back, I wonder if the gentleman would offer another question. As the Chair of the Judiciary, the chief author of H.R. 676, we're talking about a public option. Could you offer your opinion as to why anyone who claims to be in favor of free markets would be afraid of having the public option included in other private insurance offerings in the exchange?

The health care proposal is that if you have your health insurance, employer-based health insurance, you can keep that and that some improvements would be no exclusion for preexisting condition, no discrimination for age and gender. And then, the second thing, if you have a government program now, like Medicare, you can keep that. And we try to get more people enrolled in Medicaid who are eligible for that.

And then, of course, the third option, the new option, would be the exchange standardized benefits, which would include eight private insurance offerings, together with a public option.

And so my question to you is: Why are the free marketeers afraid of a public option? What are they scared of? I thought they were in favor of competition.

I yield to the gentleman.

Mr. CONYERS. Well, it's clear that many in the insurance field—remember, there are over 1,200 or 1,300 different insurance policies for health care, dozens and dozens of companies writing their own policies and plans, creating huge administrative overhead for doctors who are practicing, who frequently have to hire more and more administrative people just to sort through all of the policies of patients that come to visit them.

So they don't want competition. They don't want a free market. They want a market in which the ones that have the business and have been in it for a long time don't have to share it with anybody. And they certainly don't want to have to face the competition of an effective public option, which almost surely would be less expensive and perhaps more efficient than most of the private insurance systems. Why? Because they won't have the advertising costs, the overhead costs, the administrative costs—all of these things that burden and raise the cost of private insurance.

The same way with Medicare. Medicare costs have an overhead of 3 percent. In the private sector, the insurance policies run 10, 15, 17 percent or more in cost. All the advertising we see, at least in my area, these huge billboards, Come to this hospital because we're better at this particular health service. Another hospital, Come to this hospital; we're specialists in this particular service. And so on.

MRI equipment, the overuse of equipment. And doctors tell me if they're in a hospital and another hospital nearby gets new MRI equipment, they have to go get it to compete with theirs, and they don't really need it, but they want to have state-of-the-art, the latest thing.

And so this fee-for-services notion keeps raising the cost of health care. Many of the people that complain about these costs don't realize that the public option will almost surely lower the cost of health care.

Mr. ELLISON. Well, if the gentleman yields back, if the cost of health care is lower for families, will this allow them to be able to meet more of their basic needs and put food on the table, send kids to school, buy adequate amounts of clothing? Will this allow them to escape having to rely on credit cards and payday lenders just to be able to make it through the week?

I yield to the gentleman.

Mr. CONYERS. The answer is yes. No question about it. This is what the goal of health care reform is about, to lower the costs, which, by the way, each year the costs keep increasing and we have to find ways to deal with it.

There are other reasons that costs go up. We have got to tackle this on a realistic basis. This isn't about emotions or whether a capitalist system is being challenged or not. We have plenty of examples in which—your highway systems aren't run by different companies, your water systems, your electricity.

Health care is a matter of having it available to every citizen, regardless of their ability to pay. Of course, many of the people that end up in bankruptcy, they had health insurance. They didn't know that what they needed it for wasn't covered by the health insurance that they have.

And so, for me, it's been such an interesting field of endeavor to meet and talk with these really wonderful doctors in different parts of the country, at the medical schools, and to have made their acquaintance and then to learn of all the innumerable citizens who are so grateful to us for dealing with their problems.

By the way, this isn't some kind of circumstance that applies in rural areas as opposed to urban areas or in conservative areas as compared to liberal areas. These people are in the same fix all across the country in every one of the congressional districts.

I yield.

Mr. ELLISON. That's an interesting point. Do people who live in conservative areas where their Representatives are fighting for the status quo, are these people exempt from these escalating health care costs, these escalating premiums? And do people who live in the so-called ''red'' States, folks who are being excluded for preexisting conditions, being dropped, do people who have Representatives who fight for the status quo get some sort of a pass under our current health care system?

Mr. CONYERS. Not on your life. We're all experiencing much the same thing. I had hearings around the country on this subject. And I remember going to the Upper Peninsula of Michigan. Our good colleague, the gentleman from Michigan, BART STUPAK, had invited me up there for hearings.

I thought the urban areas were in trouble. I got a lesson. The rural areas were in even more difficulty in some respects.

□ 2220

Let me explain what I mean. They were of the opinion that they couldn't get doctors or nurses to come up there to serve their population. I remember their telling me about one doctor whose wife had said, At the end of this year, I'm leaving. I'm going back. I just don't fit in here. I'm not comfortable.

And there are people that would love to be in the Upper Peninsula of Michigan. It's beautiful. I have people rhapsodic about the beauty of the outdoors. But this wasn't for her. This was the only doctor. They were begging the doctor not to leave, and his wife. They knew if she left, he would leave, too. They were flying people from upper Michigan to Wisconsin because they didn't have any way to serve people who needed serious hospital treatment.

So we find that in Minnesota, up there at the Canadian-Michigan border, in that State, I remember distinctly talking with farmers who called their health insurance agents and said,

Please. I'm a successful farmer. Please come out and help me get insurance. I remember distinctly this one farmer said, The insurance agent said you don't want me to come out to quote you a price because I know you can't afford it. We don't even want to bother even trying to sell you insurance because I don't care how successful a farmer you are, because with you and your family, you won't be able to afford it, so we don't even need to try to sell you the policy.

There are all sorts of circumstances going on that I learn of as I accept invitations around the country to meet with health care experts in hospitals, in medical schools, in town hall meetings where people are trying to get some relief from this terrible fact that originally 37 but now 50 million people are without any insurance at all. And more people who are losing their jobs end up going into that column as well.

Mr. ELLISON. Well, if the gentleman yields back, I just want to point out that you mentioned Medicare has an administrative fee of about 3 to 5 percent. The fact is, however, that if you look at the top five health insurance companies, their administrative costs are 17 percent, and if you look at the average overall private insurance, it's about 14 percent.

What do they spend all that money on? How come they can't get down to a reasonable percentage of medical loss ratio? Does the fact that some of these CEOs just get exorbitant pay have anything to do with it? And if there was a public option—the CEO of the public option, I guess, would be Governor Sebelius, who is the Secretary of HHS, Health and Human Services. She is not making $10 million a year as a public servant. I guess my question is what are they spending all that money on. How come they can't be more efficient?

Mr. CONYERS. Well, exorbitant salaries to the chief executives and the managers of the company, as you imply, runs into millions of dollars annually, and many of them are the precise people who, through their lobbyists on K Street, are fighting any kind of serious health care reform. It's not a pretty picture.

Mr. ELLISON. Well, if the gentleman would yield, it was recently reported that the lobbyists are spending $1.4 million a day to try to stop health care. Why would they want to spend so much money? And does this amount of money, $1.4 million a day, how does that compare to the profits that they reap by, say, excluding people? They are excluding their enrollees and are not covering medical procedures.

Mr. CONYERS. Well, there is a relationship, and that's what makes it so difficult for us to come to a conclusion and to do something about this. Notwithstanding the great intellect of the President and his determination to correct the situation, there are people that put profits before health care. I'm sorry that that's the case, but that's what it really comes down to.

Mr. ELLISON. I just want to say that in this last 5 minutes that we're here tonight with this Progressive Hour that the goal and the purpose and the soul of our efforts to reform health care should focus on the word care, health care. We should act like we care. This is not widgets; this is people.

At the beginning of this hour, Mr. Speaker and Congressman CONYERS, I shared stories about people from my district. I know you could have done the same thing. You get letters. The President gets letters. We all get letters. But care should be what drives us. I believe that you, Mr. CONYERS, have worked so hard and done so much to start with a single payer, but because of your advocacy, we have gotten to a point where a public option is a real option, and I thank you for that.

But public option is not the best name. It could be called patient option or a we're-in-this-together option, an option that says that we're going to have a public plan that could compete with the private plans, that could have some real cost drivers; not just drive down cost, but can offer best practices so that we really put an emphasis on health care and wellness, not just on processing people, fee-for-service, overutilization, which, as you know, has been a very serious, serious problem.

I think as we close up, Mr. Speaker—and I want to leave the gentleman from Michigan time to make some closing remarks, and we'll give him the final word since he's so eloquent—I just want to say that it's important for us to understand that if Americans want real health care reform, the time is now, I think, Mr. Speaker, to raise your voice. I'm not saying what people should or shouldn't do, but I'm saying that if you want health care reform, this is not the time to be silent. It's a time to raise your voice. And if you happen to live in an area where you have a Representative who is not for reform, I think that this is an especially important time to have something to say about that and exercise your constitutional right and offer your views on that.

I just want to say that we've fought hard here, and this piece of legislation that we're fighting for now is every bit of a civil rights issue as the 1964 Civil Rights Act. The 1964 Civil Rights Act was passed just a few years before you came to Congress, Mr. CONYERS, so you really were in the ambit and in the aura of this great triumph of American democracy. You were a friend of Martin Luther King. In fact, Rosa Parks worked in your office for many years and was a dear friend of yours throughout her life.

I think I feel something like what you must have felt then, that we are on the doorstep of seeing great change in the American democracy, but it's going to take the energy and the prayers and the voices of everyone to get us over the line. When the President comes out on the television here at prime time, it's not just because he doesn't have anything else to do.

It's serious. It's important, and it's very essential that everybody click in, raise their voice and make sure that if you want health care reform, if you want an end to being dropped and kicked off and denied for a preexisting condition, that if you're tired of discrimination because of gender and because of age, if you feel that a public option should be able to compete with a private insurance to drive cost down, and if you really believe that in our country that a health insurance company should be able to operate with a 4 or 5, 6 or 7 percent administrative cost as opposed to 17, 18, 19 percent, completely inefficient, then it's time to step up and do something about it. It's time to step forward.

If you want to do something about health care disparities between people of color and other people, it's time to step up and do something about it. This is not the time to sit back and figure, Well, Conyers will probably save us. Obama will save us. Somebody will do the right thing. No, this is time for everybody to step up and demonstrate their own leadership.

With the moments remaining, I just want to yield—I think that's it. The gentleman from Michigan has yielded to me. Therefore, what I'm going to do is thank the Speaker for allowing us to come to the floor tonight and talk about the Progressive Caucus, arguing for a public option, starting out our debate for single-payer health care, but being reasonable and being practical and saying that we've got to have a public option, that that is where we stop compromising.

We've done our part already. We are proud that people like Congressman KUCINICH have made it possible for States to be able to pursue single-payer. We're practical Progressives. We're not doctrine here. We're practical. What we want is good results for the people of the United States so we can join the 36 other countries in this world who have national health insurance.

With that, Mr. Speaker, I yield back the balance of my time.

□ 2230

HILLARYCARE AND THE NEW HEALTH CARE PLAN

The SPEAKER pro tempore (Mr. MINNICK). Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. I want to acknowledge the presence of the chairman of the Judiciary Committee here tonight and Mr. ELLISON both. I appreciate the young man from Minnesota coming down here and spending an hour down here. I expect that out of him since he's got all of that youthful vigor. But the chairman of the Judiciary Committee could have found something else to do, and I think this is a testimonial to his commitment and his belief in the policy.

And so as much as I was tempted to engage in that debate, I was also very interested in the exchange from the gentleman of Minnesota and the chairman of the Judiciary Committee.

There are other Members off doing other things tonight, and perhaps doing nothing. But some of us are interested in the future of America.

And I wanted to point out this chart that I am sure will be something that the gentleman from Michigan (Mr. CONYERS) will recognize, or at least when I describe it he will recognize it.

This is the flow chart from Hillary's national health care plan from 1993. And it has some differences between that and the current plan that we have. But I had this chart on the wall in my construction office when it was available in 1993, and it hung there throughout the decade. And I believe it's still somewhere in my archives unsorted. They're still some things left over from that from the time I sold my business out to my oldest son.

But this chart animated me. It animated me because I'm a private-sector person. I'm a person who had to make a living competing on low-bid and being efficient producing and building things, and I provided health insurance for my employees and retirement plans for my employees. And I was one of the early people to do that. I recall back in the 1980s, that was an exception in people that were within the scope of the business that I was in and many other businesses. And I was happy to do all I could do because I wanted to keep employees working for me. I wanted to give them the best employment we could, the best employment package we could.

And when I saw this come out, this Hillary's plan, I began to look through all of this chart, all of these new programs, acronyms that I don't know that the gentleman from Michigan could come up with what these mean today. I thought I knew them all back then. But there were many of them new government programs.

And some of this is similar to the proposals that are out there today. The stark difference, is this is black and white. The new flow chart is in Technicolor. I imagine a generation from now it's going to be 3–D. But it creates whole new different programs and new different agencies, and that was enough to put the brakes on this program back in the early 1990s.

When the American people got a look at all of this government that was prescribed, all of the hoops they were going to have to jump through, they concluded that they didn't want to make that big change and didn't want to make that big leap.

So just the idea of this chart, I think, if this chart had been pulled out of the equation, I think perhaps Hillary's health care plan would have passed. But the American people can see—and in one snapshot picture—this huge growth in government that comes about and the loss in freedom. This is about freedom. And when I look down through this list, I see HMO provider plan. Global budget plan. A global budget plan for a national health care plan? All of these agencies over on this side, DOL, PWBA, I don't even know what those mean any more, but grown, creating new government. How it's interrelated with State government, a national health board. That sounds pretty familiar. Executive office of the President sitting on the top of that.

But this chart was something that caused the American people to wonder how many lines would they stand in, how many government agencies would they have to deal with. And when you look at Americans standing in line, it's pretty—you know we do that occasionally in the cities when things are busy in the grocery store or wherever. If you are standing in line, you are giving up some of your freedom, your time that you could be doing something different with. And when you stand in line for retail, you always have the opportunity to go for another line. When you stand in line for government, there is only one line, and you shall wait until that line slowly progresses through the door.

We have a new chart here, and this is the chart that reflects the new language, and this chart is—this is a chart that when the American people absorb all of the components of this, they will also understand that there is freedom that will be lost.

I put this out here because I want to make sure that the gentleman from Michigan can see this. And I want to make this point because this is a dialogue situation that we have here on the floor. When I looked at this chart, I will say that reading the bill over and over again doesn't draw a description that you can see in your head the way you can if you have the chart to follow.

This is 31 new government agencies. This is 31 new hoops that people have to jump through. They won't have to jump through every one to get their tonsils out, but they will have to jump through some new ones to get their tonsils out or a hip replacement, or a knee or whatever it might be.

But in this whole flow chart that reflects these many pages of legislation, the one that I bring my attention to—and the one that causes me concern—is this right here, this little segment down at the bottom: Traditional health insurance plans. These are the 1,200 or 1,300 plans that the chairman of the Judiciary Committee alluded to. I call that a lot of competition; 1,200 to 1,300 health insurance plans competing against each other for the premium dollar. They're out there trying to devise new packages and new ways to market and different ways to accommodate the needs of the health insurance consumer. Thirteen hundred. In fact, my number is over 1,300 of these policies.

Well, under this proposal, this new national—the House Democrats' health plan, this new health care plan, any health insurance policy that you have today would have to go into this circle, this purple circle here called the ''qualified benefits health care plans.'' They would be the private-sector plans. So these 1,300 or so plans would have to meet the newly written government regulations in order to qualify under the qualified plans.

Those regulations will not be specified out in this bill. They won't say in the bill that you have a certain deductible or a certain copayment or no copayment. There will be some regulations that will be written in there such as, perhaps, portability—which I know that we need to address—but in any case, the qualified health benefit plans, that's the pool that this whole box of 1,300 would have to go into. They will have to meet the new standards, the new standards that will be written by the Health Choices Administration Commissioner, whom we can confidently define as a health choices administration czar. It's just ''commissioners'' have a better sound to it today, because we have 32 czars. We're kind of worn down on czars, but commissioner are okay.

This commissioner will, with whatever board that directs him and whatever direction he gets from the White House, and perhaps with input from the House and the Senate, perhaps will write new regulations. And he will tell these 1,300 and some health insurance policies, You will conform to these standards in order to be qualified. If you are not a qualified health insurance plan, you will not be allowed under this law to sell insurance in the United States of America.

So, when the President promises that if you like your health insurance plan, you get to keep it, I do not believe that the President could be able—with any kind of confidence—to make that promise, because in reality, he doesn't know yet what these qualified health benefits plans are. But we do know that they aren't going to qualify every plan as it is. They may not qualify any plans as they are. But they will be pushed into this circle here, and they will have to be written in such a way that the new plan, this other purple circle, the public health plan—that's the public option that the gentlemen had been speaking about over this last hour. The public option is designed to compete against these 1,300-and-some private health insurance plans.

Now, there are a couple of things that can happen. If the public option is having trouble competing, they can either lower the premiums and subsidize them with tax dollars, or they can raise the regulations on the private plans so that the health insurance plan today that people have—one of those 1,300-and-some plans that are there—they have to meet the new government regulations. You raise the regulations, you raise the cost, you raise the premiums.

These policies will not be the same policies if this health insurance plan

changes. That's why the President can't make that promise. He can make the promise, but he can't keep it, and the American people know he can't keep it.

So the difference between this full technicolor plan and the HillaryCare plan behind us in black and white is this: That the HillaryCare plan was a single-payer plan. It was a plan that was not quite one-size-fits-all, but it was one government plan for all.

This is a transitional plan to HillaryCare plan. This is a plan that sets up and transfers all private health insurance today into government-approved, qualified health benefit plans. The government will write the regulations. They will say what's mandated. They will tell the companies what they have to provide for insurance, what they have to cover, whether they can have deductibles, whether they can have copayments, and what kind of portability may or may not exist. And I think the portability will exist.

□ 2240

By the time they write the regulations, you won't be able to tell whether you have a private health insurance plan or whether you have the public option because they will be written under the same rules. So it will just be the difference of whether someone is out there still hanging on.

I can tell you what happened in Germany. Germany has the longest history with a public health insurance plan of any country in the world. They put it in under Otto Von Bismarck, for political reasons I might add. And today, even though they have a private option as we are being promised here, 90 percent of the health insurance in Germany is the public plan. It is the plan that they write and they put the dollars into it. The 10 percent that are out there that have private plans are mostly people that are self-employed, that are making the kind of an income that allows them to go outside the government market to buy some health insurance that they think might give them a little bit better access to the health care, 10 percent private, 90 percent public, 90 percent government.

Now I don't know what is in this dialogue or in this bill that is going to change our way of thinking, that will change what happens here in the United States. But we know that as much as people say about how popular the Canadian health care plan may be, they keep coming to the United States for health care from Canada. And in Canada, there is a law that prohibits the Canadians from jumping ahead in the line. They have lines now that, let's see, the numbers, I will recall them, a 360-day waiting period for a knee joint, for a new knee joint and 196 days waiting for a new hip joint.

In America, well, we can get you in tomorrow or next week. What's your pleasure? We will make sure we adjust the schedule of the health care providers so that we do get people in for that kind of surgery, whether it is heart surgery, knee surgery, hip surgery, whatever it might be. We don't have waiting lines in the United States, unless they are waiting at the emergency room with people that are walking in there.

I will point out, also, Mr. Speaker, that the dialogue that we have heard, not just here in the previous hour ahead of me, but constantly throughout this entire health care debate, has been the blending, the merging and the confusing of the terms ''health care'' and ''health insurance.''

For example, when the gentleman said just previously, ''Millions and millions of people who don't have health care,'' that was the chairman. Well, we don't have anybody in America that doesn't have health care. Everyone in America has access to health care. But we don't have everybody in America that is insured. When we blur the terms and we say that there are millions of people that don't have health care, we need to drag that thing back to the reality of the truth and make it the point that, no, everybody has health care. At least if they will access it, they have health care. But they don't all have health insurance.

When you take the full numbers of people in the United States and you start subtracting from that the numbers of people who are just simply not exercising an option of picking up health insurance, we will hear the number that there are 44 million to 47 million people in America that are uninsured.

But when you start subtracting from that, first, I'm not interested in insuring the illegals in America. I think those people that came into the United States illegally should go home. I think we have got an obligation to put them back in the condition they were in prior to them breaking the law. We should not reward them for violating our immigration laws. So the illegals should be subtracted. Also, newly arriving immigrants are supposed to take care of themselves. They can't hardly press themselves on the public dole and plead with us that the minute they arrive here we should provide them health insurance. We provide them health care. Nobody gets turned away. But they cannot demand health insurance. Then when you subtract from that the people that are making over $75,000 a year, they could surely find a way to take care of some health insurance with some income like that.

And you shake this number down, what are we really after here? We are after a number that identifies those people who apparently can't take care of themselves, who can't take care of their own health insurance, the chronically uninsured. The chronically uninsured in America are a number between 10.1 million and 12 million, depending on whether you believe the two-professor study at Penn State University or a number that came out from one of our nonpartisan organizations here, and I hesitate to quote them.

But 10.1 to 12 million, some place in that zone, is the total number of those who are chronically uninsured in America. Divide that out, say 11 million, and divide it by 306 million, you're in the zone of about 4 percent. We have the best health care system in the world. We do spend a high percentage of our gross domestic product on health care, and we have got the best health care system in the world. I won't argue that we shouldn't take some dollars out of this, because there are a lot of dollars in our health care system. But we are looking at upsetting the best health care system in the world to try to address the 4 percent of our population that are chronically uninsured.

Why would we do that? What is our goal? Don't we know some things from all of the experience that we have had in dealing with people who have had public policies offered to them? If you look across the States, what percentage of those kids that are eligible are signed up for SCHIP? And we look at how government abuses SCHIP when in Wisconsin 87 percent of those signed up for State Children's Health Insurance Program are adults, and in Minnesota, the gentleman from Minnesota, Mr. ELLISON's, State, 66 percent were adults? They were abusing the system. They were not using the system.

If you look at the numbers of people who are eligible for Medicaid versus those who are actually signed up for Medicaid, just slightly over half of those that are eligible for Medicaid are actually signed up. So why would we think that we can fix this problem of the 4 percent of the population that is chronically uninsured even if we do bring a public plan and a public option? Why would we think that they would sign up? I don't think they are going to sign up in any greater numbers than they do for SCHIP or any greater numbers than they do for Medicaid.

One of the reasons is because a certain percentage of the population is just simply not responsible enough to step up to that responsibility. And there is supposed to be a reward in this country for people who do take the initiative and take care of themselves. But I'm concerned about this loss of freedom. I'm concerned about this transition of the traditional health insurance plans crowded into the qualified health benefits plans with new regulations written that may compel them to pay certain benefits that would be morally objectionable to many of us.

And then it is written so that they would compete with the public benefits plan. And seeing also that this is a transition to get us to the HillaryCare plan which was a complete substitution of the private health insurance in America and replaced with a government-run plan, another major moral objection that I have.

I will say this is actually the moral objection, and I will tell this in an anecdotal form. Sometime in the early

80s, at least sometime in the 80s, my Congressman was Fred Grandy. Many people will remember Fred Grandy as Gopher on ''Love Boat.'' He was a very smart guy, a Harvard graduate, a policy wonk. He still has left an impression upon colleagues I serve with here on how smart and how policy-able he is and was active in those years.

It was unusual for a Member of Congress to come to my little town. Fred Grandy did do a stop in my little town of Odebolt, and we met in the basement of the Lutheran church. There was a pretty good crowd for a small town. There were about 80 people there. I went and sat down in the front row. Most of the reason is because I can't hear very well in the back row. Of those 80 people there, Congressman Fred Grandy proposed his model for a national health care plan. As he described it, I listened to it carefully.

Then he stopped, and he said, how many of you in the room are employers? I raised my hand. I remember looking around the room, and there were 12 of us with our hands up, a dozen out of 80 or so that were employers. And then he asked the question, how many of you provide health insurance for your employees? I left my hand up. But it was the only hand up out of the 80 in the room. And then Congressman Grandy came directly in front of me, and he leaned down and he said, and of the way I have described this national health plan, how much will this change the way you do business? And I gave him the answer that was in the front of my head, and I think I would do that pretty much today, as well. I said, well, Congressman, it probably won't change the way I do business very much unless you're going to compel me to pay for abortion, in which case I quite likely will no longer be an employer. That was my answer. It was a blunt answer, and it was exactly what I was thinking. And the place erupted in applause. I had no idea that there was a nerve out there to be touched in that fashion. I had no idea that I would ever enter into public life in any fashion. I had no idea that I'd be serving on the Judiciary Committee at a time like this, no idea I would be standing here on the floor of Congress relating a story that was more than 20 years old where I found out it wasn't just me that considers requiring Americans to pay tax, to take their tax dollars to fund the ending of innocent human life and calling that the expansion of freedom is abhorrent to many Americans.

□ 2250

And that, at the core of this, I don't know how this administration avoids the position that they have taken, but I don't know how American people step up and get out their checkbook and write a check to the IRS if that check is going to go into—or write a check for health insurance premiums for that matter—if that check is going to go into Planned Parenthood, the abortion clinic, into the snuffing out of innocent human life.

When it gets to the point where it is a moral principle, the American people, I don't believe, will tolerate the imposition of a policy like that. And this policy, some will say, well, we don't have any proof that it's going to be, we're going to be compelled to pay for abortion in this health insurance plan. The history of the entire funding of abortions since Roe v. Wade has been, if there is not a specific exemption in the bill, if there's not a specific exemption passed by Congress, then government will fund abortions. That's how it has been since 1973.

And so this bill, when it was offered in committee to prohibit any of this money from going to abortions, that amendment was shot down on almost exactly a party-line vote. So this Congress has already spoken. If anybody thinks that this massive, technicolor flowchart, new health care plan, crowd your private plan into competing against the public plan and eventually the public plan swallowing all of the private plans, if anybody thinks this isn't designed today by the people in power in this Congress to fund abortion, they would be wrong.

And we had the opportunity of the White House Budget Director, when asked the question, he would not rule it out that they would be funding abortions under this program. So, we all have to take them at their word, their spoken or unspoken word. But if the legislation doesn't explicitly exclude abortion, we know that they are going to be seeking to fund abortion.

Sixty-nine percent of Americans oppose taxpayer funding for abortion according to a Zogby poll just last year, 69 percent oppose. And in May of 2009, a Gallup poll finds that 51 percent of Americans identify themselves as pro-life. But if you start dropping off some of the exceptions, you go right on up the line as high as 75 or more percent. And no one can win the argument, if you ask them what instant their life began if they believe in the sanctity of human life, unless they take the position that they are pro-life.

And so I think that this legislation that goes after a big chunk of our economy, at least 17 percent of our economy, it goes directly after a strong moral objection that many of us hold against abortion itself, let alone compelling people to fund abortions here in the United States or in a foreign land.

And now, Mr. Speaker, I take you back to the President's basic principles that he's argued about as to why he says we need to establish this national health care plan. His principle is this: The economy is a mess. It's not quite any longer in free fall, but we are in an economic situation that's quite difficult. And he says, President Obama, health care is broken. And he also contends that we can't fix our economy unless we first fix health care. Well, health care/health insurance, let's put that all together, because now I think he's talking about the package.

And so here's the situation. The economy is in a shambles. It's limping along. It doesn't show any signs of recovery. It may still be declining. And so with a bad economy, and the President says we have to overhaul the health care system in America in order to recover economically, here's the principle.

How do you bring something out economically if you're going to propose a $1.2 trillion to $2 trillion plan that's going to require increasing taxes by $800 billion or $900 billion and leave, by all accounts, at least a negative $239.1 billion deficit created by all of this?

How do you, if we can't afford a health care plan that we have, how do you create one that costs $1 trillion to $2 trillion more, increases the deficit and increases the taxes, how do you create all that and say that's a fix? It looks to me like no, it's more like an addiction on increasing taxes and increasing government.

Here's a conclusion that I've come to, Mr. Speaker. No matter what kind of logic this side of the aisle will apply, no matter what the metrics are from an economic approach, no matter what we can point to that shows that this is the best health care system in the world—and by the way, before I get to the conclusion on the no matter whats, I want to list the things that I do agree on.

We spend too much money on health care in this country, too high a percentage of our GDP. We have to do something about portability in America, because when people move from job to job, they should not have to stay in a job because their health insurance doesn't go with them if they leave. We agree on those things.

Something else that's missing from this flowchart, though, is liability reform. Medical malpractice insurance is too high, and it is a significant part of this, but, you know, if you can produce all government workers producing all the health care, then you can end up with sovereign immunity and we can maybe get rid of this litigation in the end, if that's where it's going. I suspect it's not.

So those are the two things that we agree on. Costs too much money, we need to make it portable. Aside from that, there are many other solutions that I would apply.

One of them would be if health insurance premiums are deductible for anyone, if they're deductible for the corporation or the employer, they should be deductible for everyone. The same kind of commodity should be deductible for an individual, for the ma and pa shop, for the farms. They should be deductible for everybody in America in the same fashion that they're deductible for a company. That would move a lot of people out of their existing programs and let them market or shop and own their own policy. So I'm for full deductibility.

I'm for expanding health savings accounts. I'm for limiting the liability

under medical malpractice, adopting the language that we passed out of the Judiciary Committee and off the floor of this House about 3 or 4 years ago that caps the noneconomic damages at $250,000. I'm for doing those things.

I don't know anybody that's for doing nothing. We want to do all we can to fix this program, but we want to keep the competition in place and we want people to keep their freedom. But it does not follow logically, Mr. Speaker, for the President to claim that we are in an economic difficulty of proportions not seen since the Great Depression and that we can't fix the economy without first fixing health care/health insurance, and that the fix for health care and health insurance is a $1 trillion to $2 trillion government spending program with an $800 billion and $900 billion tax increase, with a $239.1 billion deficit.

How does going further in debt, spending more money, solve a problem for a health insurance program that already spends too much money? If you put more money into the system, where are they taking it out? I don't see where they're taking it out except squeezing down Medicare. That's one of the components that are there, and I've seen numbers as high as $500 billion that might be, not in here on this flowchart, but in the finer print of the bill.

If they squeeze down Medicare, Medicare that, in my district and on average is paying only 80 percent of the cost of delivering the service, and in Iowa, out of the 50 States, we have the lowest Medicare reimbursement State in the entire country. We have the lowest reimbursement rate. We are in the top five in quality year after year. There are a number of different categories. Sometimes we're number one in some of the categories. But out of all 50 States, when you look at the aggregate of the quality of the health care, Iowa ranks in the top five consistently year after year after year, and we are last in reimbursement rate in the country year after year after year.

And so this idea of squeezing $500 billion out of the Medicare reimbursement rates because they think somebody's making too much money, what happens is it pushes those costs over onto the private payers, called cost shifting. You shift the cost. At some point, this bubble has to burst. I think that this bill squeezes it to the point where the bubble bursts.

And so I would make this point, too, that we should get our verbiage right. We should call health care health care. That's the providers. That's the service. That's when we are taking care of patients. We should call health insurance health insurance. That's when a premium gets paid to an insurance company and the insurance company pays the liability that comes when there's a claim, when there's health care provided.

□ 2300

That's the difference. I've watched this verbiage get confused over the immigration debate over the last few years, too. I made the point then—and in fact it was to the White House at the time—that they couldn't get past the idea that they were proposing amnesty. They tried to redefine amnesty, and the American people didn't buy it. We can't redefine this language around health care. The American people are not going to buy it. They know the difference between health insurance and health care. And they like to know where it is because they know their very lives are at stake, and they don't want to stand in line.

I have a chart here that describes the quality of American health care. This is the survival rate of cancer patients compared to different regions. Here's prostate cancer, here's breast cancer. There's two good indicators that are there. If you look at the United States, our survival rates are at the top in both prostate and breast cancer. And then when you see the—shall I call it burgundy here—that's Canadian. Canadian survival rates are higher, substantially higher, especially for prostate, than they are for Europe or for England. Europe and England are down, Canada's up, the U.S. is better than Canadian. It's also the case when you look at breast cancer, only it's not so stark, the difference between Europe and England and the United States.

I look at this and I think, how did Canada be so close to the United States with survival rates of cancer? We have the best survival rates here, by the way. How can Canada be so close? Could some of it be that because Canada is so close, Mr. Speaker? Could it be that Canadians come from Canada down into Detroit to get their cancer treatment? Could it be that they're coming down to the Mayo Clinic in Minnesota to get their cancer treatment, and could that be one of the reasons why their survival rates are better in Canada as compared to the other countries that have a socialized medicine program?

But make no mistake, Mr. Speaker, this is socialized medicine. It's the government writing the rules. It's taking away your freedom. You can't own your health insurance policy the way you own it today. The government will interfere and intervene and will write new rules. And when the President says that you get to keep your plan if you like it, I guess maybe if you're working for a company, you may get to keep your plan if you don't like it. But when Wal-Mart makes a decision, as they did a couple of weeks ago, that they would endorse an employer mandate health insurance plan, that should tell us something.

Why would Wal-Mart do that? They insure about 52 percent of their people. Their competition insures about 46 percent of theirs. So there's a little push there competitively. But surely they have to think that the health insurance for their employees is going to be cheaper if it's under a public plan.

So when the President says if you like your health insurance plan, you get to keep it, what does he say if Wal-Mart, for example, should decide that they're going to drop all of their private insurance carriers and policies and go over onto the public plan? Doesn't Wal-Mart or any employer have the option to shift if we offer? If we offer people a public plan over here in this chart, is it the President's position, that a company can't switch? Is he saying to a company that's providing health insurance to their employees, if your employees like these plans, you have to keep it? Is he saying that to the descendants of Sam Walton?

I don't think so. I think companies will make that decision. It will be an economic decision. It may well be a moral decision for a lot of our responsible employers as well. But the President cannot guarantee that you get to keep your health insurance plan. That decision will be made by the employer if he provides it. And if you're an individual that owns your own plan, that plan will still have to qualify to be sold in the United States of America. It will not be legal to sell health insurance in America unless you comply under this circle with the qualified health benefits plans, the rules of which will be written by the health insurance czar.

Thirty-one different agencies there. There's a lot of freedom that's lost, a lot of lines will be created, a lot of freedom will be lost, some lives will be lost, and we know that people die in line.

Mr. Speaker, I have a couple of subjects that I wanted to address when I came here tonight, and I wanted to just take this little moment while the Chair of the Judiciary Committee was here and ask, as we've had many of these discussions and dialogues, if he would be open to a little colloquy. I would make the point to the gentleman from Michigan that today the Government Reform Committee released a report on ACORN. I have read the executive report on ACORN. From my perspective if the 82 pages of report that's released support the statements made in that executive summary, it is earthshaking for me to read all the implications of that.

I know that you've had some real interest in looking into ACORN to examine the propriety of the operations that they have, with the very breadth of all the corporations that are affiliated, and I would just inquire if the gentleman has had an opportunity to read the executive summary of the Government Reform report at this point.

Mr. CONYERS. If the gentleman will yield, I haven't read it yet. But I will be reviewing it tomorrow and I will be prepared to discuss this with him next week.

Mr. KING of Iowa. Reclaiming my time, I thank the gentleman for that commitment. I look forward to having

that dialogue. This is something that you know I've been very concerned about for many months. I know that the chairman of the Judiciary Committee has taken a real interest in this. This is real evidence, as I understand it, real definitive evidence that's now in the CONGRESSIONAL RECORD in a composite form.

Hopefully the chairman and his committee staff could take a real thorough look at this and either produce a response to the evidence that's there, or I would be very interested in opening up hearings so we could examine ACORN.

Would the chairman have any inclination on what he might do at this point?

Mr. CONYERS. Not until I've examined the document the gentleman has referred to.

Mr. KING of Iowa. Reclaiming my time, I thank the chairman for his indulgence in this. Again I appreciate it. It's late at night here, and JOHN CONYERS is here engaging in this health care debate and paying attention to the things that matter. I did intend to bring up the ACORN issue at this point, so it wasn't an injection into the dialogue.

If the gentleman had further points, I would be happy to yield.

Mr. CONYERS. Well, I haven't seen the report that you've reviewed. But I will be happy to look at it next week. We're in dialogue. We see each other every day that we're in session. I will be delighted to discuss it with you.

Mr. KING of Iowa. Reclaiming my time, I thank the chairman again for his indulgent attention to the matter. I will at this point, then, move on to that subject matter. And unless the gentleman from Texas came to speak on health care and health insurance, I would be happy to yield.

Mr. GOHMERT. I appreciate my friend from Iowa yielding and that is something I did want to mention, as I am still so deeply disturbed by the fact that this Congress would be censored, where we did not have the freedom to debate, when that ability is what gave us this country, is what started this country. If you go to the Speaker's Web site, you will find all kinds of references that are clearly political and clearly demeaning to Republicans. Yet I don't know of any Republican that has said that she needs to personally pay for her Web site since it's political.

Yet here we find out today that we're not allowed to use the term ''government-run health care'' because that is considered political and demeaning to the Democrats' plan and, therefore, if we're going to put that in any correspondence, then we have to personally pay for it. We can't do like the Democrats have done, when they send out all this mail trashing Republicans, some of it valid, a few years ago, that we were overspending.

And so I thought perhaps the silver lining would be when they got the majority they'd do what they said and cut spending, but it's gone the other direction. Nonetheless, in the chart, as I'm sure my friend from Iowa has pointed out, that has these 31 different new created entities, we're not allowed to put that, we're told, on our Web site. Otherwise, we'll have to pay for the Web site. We're not allowed to send that out in any literature because the fact of the business is, that might educate people on just what it is that's going on here. But we were told we have to use the term ''public option'' rather than ''government-run health care.''

□ 2310

JOHN CARTER was told today that if he was going to use the term ''government-run health care,'' he would have to pay for his mail-out. He couldn't use franking to do so. That he would have to use the term ''public option.''

It is so outrageous that in this body we're being censored by people who have made a living out of being political. It is just outrageous. And I've got too many friends on the other side of the aisle that I can't believe would condone that kind of conduct. Because they should have the freedom to criticize any Republican plan. We should have the freedom to criticize any Republican plan. And we both should have the freedom to criticize the Democratic plan. That's supposed to be constitutional. Yet, we're told we can't use political, demeaning terms to their health care plan.

I'm telling you, it is socialized medicine on its way. It is nationalized health care. It is the government's effort to take over your body.

I've got three daughters, my friend knows. While somebody is under my roof and I'm paying their health care bills, then I feel like I've got the right to tell them you need to eat better, you need to do this, you shouldn't do that, because I'm paying for their health care bill. And if they're going to run it up doing something, then I have a right to have some injection and control over that. That's what this is about.

I've said it months ago, that what we're running into in this body is the GRE, the Government Running Everything. And that's what is taking over health care.

Once the government has this government-run program, let's face it, you cannot in the private sector compete with a government, especially a Federal Government program. Because it can run in the red and it can count on being funded by the government. You can't compete with that if you're in private business because you can't run in the red. You've got to run in the black or you go bankrupt. Well, it used to be you went bankrupt, unless the government wants to run in and bail you out because you're good buddies with people in the government.

Nonetheless, I talked today, this morning, with a lady from Tyler. And I love her delightful British accent, because she's originally from England. And she had called wanting to speak with me, really needing to speak with me about health care.

She told me that her mother died of cancer and she herself was later found to have breast cancer, and that if she had been under the system her mother was, she would have died. But she's alive because she's in the United States and is a citizen here. Her mother is dead because her mother was in England and she didn't get the kind of care she would have here in the America that Sue got. I don't want people dying like that unnecessarily. And the government has to put you on lists.

I will yield to my friend from Iowa. Have you quoted the President on that town hall? I see my friend shaking his head.

This was Pam Stern was on the town hall meeting with the President and talked about her mother, that she's now 105, but over 5 years ago her doctor said that he couldn't do any more to help her unless she had a pacemaker. But she's nearly 100 years old.

And the daughter felt like—her doctor—that she ought to get a pacemaker. Everybody was in favor of it, except her arrhythmia specialist, who had never met her. So her s doctor said, He needs to meet you, because that's going to be worth a thousand words.

So he makes an appointment with the arrhythmia a specialist. He meets with Pam Stern's mother and he realizes—and, according to Pam—that because he saw her and her joy of life, then he said he was indeed going to go forward with the pacemaker because this woman had a real zeal for life and was enjoying life and doing well.

And so Ms. Stern went on and said to the President—was asking about his plan and was wondering what treatment someone elderly could have, and asked this, basically: Outside the medical criteria for prolonging life for someone who is elderly, is there any consideration that can be given for a certain spirit, a certain joy of living, quality of life, or is it just a medical cutoff at a certain age?

And I went online early this morning and watched this YouTube and typed it up myself and went back and forth to make sure I got everything right. I left out two or three uhs.

Anyway, he says, ''We're suggesting—and we're not going to solve every difficult problem in terms of end of life care. A lot that is going to have to be—we as a culture and as a society starting to make better decisions within our own families and—and—for ourselves.''

I've have got to pause here. The woman is 105. She got a pacemaker 5 years ago, and her quality of life is excellent. How does she need to make better decisions within her family? Her family is supposed to tell her you can't have a pacemaker because it's time for you to just roll over and die?

But the President goes on. He says, ''But what we can do is make sure that

at least some of the waste that exists in the system that's not making anybody's mom better, that is loading up on additional tests or additional drugs that the evidence shows is not necessarily going to improve care, that at least we can let doctors know and your mom know that, You know what, maybe this isn't going to help. Maybe you're better off not having the surgery but taking a—a painkiller.''

The woman got a pacemaker and has had a wonderful quality of life, a zeal and a joy for life and, according to this President, maybe what we just should have told her is, You don't need a pacemaker. You need a painkiller.

It is just unconscionable. We value life more than that in this country. And what grieves me most—and I heard on the news; I don't know if it's true—that AARP is now endorsing this. If they are, then at some point, bless their hearts, they're going to owe their members an apology. Because if we go to this proposed plan that supposedly on the news they said today they were endorsing the President's plan, then the people who will be hurt dramatically will be the seniors. They will go on lists like Sue's mother did in England and they will die because that's what will happen.

That's how you keep a socialized medicine plan from going broke. You put people on long lists, they stay there, and then they die.

Mr. KING of Iowa. Briefly reclaiming my time, I hope to come back to the gentleman from Texas. I would add to this that in this bill there's also language in there that sets up government counselors to go and see the family and talk to the children of people who are aging and presumably to counsel them on hospice care and end of life decisions in order to avoid the cost of taking care of people when they get older.

This is going to be an economic equation that's going to be counseled by people who will go to college to learn how to do that and they'll get a check from the Federal Government to go and visit the children of our senior citizens, and perhaps our senior citizens, and counsel them in why a pacemaker is not a good option; why pain pills are a good option instead.

This changes our values. When I think about the President answering that question with recommending a prescription for pain pills, even after the fact, what kind of arrogance does it take for an individual who, let me just say, has no medical training, has not examined the patient. Just simply tosses out a prescription because he is President of the United States. That is a very high degree of self-confidence and that is very much an understatement on my part.

I'd illustrate also what happens with the health insurance. When you see the private health insurance plans get crowded into the public health benefits plan and they have to compete against the public, they will have set up under this bill a very similar scenario to what we had when the Federal Government decided to get into the flood insurance business.

□ 2320

Now, you can look across the country and try to buy a private flood insurance plan, and all you can find out on the market is a Federal flood insurance plan because the Federal plan crowded out the private plans and crowded it out because they didn't charge premiums that reflected the risk. And the result is, the Federal flood insurance plan is $18 billion in the red. They've starved out all the competition. The government has a monopoly on flood insurance. They set the premiums, and the taxpayers in America are subsidizing the flood insurance for other Americans to the tune of $18 billion. That's the deficit.

When government gets in this business, we lose those automatic checks and balances that come with competition, and we lose the human nature of dealing with people individually. I don't want to be in these end-of-life decisions. I don't want to write the rules for that, and I wouldn't think that a President would want to make such a prescription of take the pain pills. It's what you have. Old age is terminal, so take a pain pill until it's over. That's what I hear was prescribed to this lady.

I yield to my friend from Texas.

Mr. GOHMERT. My friend from Iowa's words are exactly right. Like my friend from Iowa said, this is after the fact, after we know it's helped, he still says that at least we can let the doctors know and your mom know that, you know what, maybe this isn't going to help. Maybe you're better off not having the surgery but taking a painkiller.

But let me also point out, the President is a very smart individual, well educated, extremely articulate, obviously very good and persuasive, but he won't be the one making the decisions. It will be some bureaucrat who is not as smart as the President. That's where this is going.

I have shared on this floor before about a gentleman from Canada I've talked to whose father died in the last year or so, whose father was on a list to get a bypass surgery for 2 years, and some bureaucrat kept moving people in front of his father. I said I thought it was a crime to move up the list in Canada. He said it is illegal to pay somebody to move you up, but it's not a crime. In fact, it's required that the government has bureaucrats in little cubicles somewhere that are not nearly as smart as President Obama who read these things, look at this stuff and say, you know what, let's move this guy in front of his father and this guy. They kept moving people in front of him for 2 years, and he died because the bureaucrat was wrong. His father really did need the surgery.

So it's scary enough that the President would say about a woman who had successful pacemaker surgery 5 years ago that, you know what, maybe we just should have said to her, You're better off without the surgery. Take a painkiller. Well, imagine somebody who is not even as smart as he is making those decisions for you. So this is really dangerous stuff before us.

And if I might add one more thing, you know, some people say that this debate over health care is all about politics. I just want to say, if this debate over health care were really just about politics, the smartest thing that my friend from Iowa and I could do is sit back, say nothing and let this bill pass, not point out all the dangerous stuff in this thing, the life-ending stuff in this, the freedom-ending stuff in it, just sit back and not say anything, because what would happen is the bill would pass if we didn't stand up against it and didn't let the people in America know how bad it is so they didn't inform their Congressman. Just sit back and let America find out how many freedoms are taken away, how many loved ones they lose because they're in this system. The American public, I believe, would be so irate, they would turn out the Democratic majority for at least two or three more generations, they would be so irate. That's the political side of it.

But the factual side is, this is so bad, and we care so deeply because we know where this goes. I saw socialized medicine in the Soviet Union as an exchange student there in '73. I don't want this. I know how it goes. I would rather stay in the minority and be free of this kind of government intervention that ends lives and takes money for abortions and takes money to have people take a painkiller and die instead of having the pacemaker they need. I would rather do that and stay in the minority than have people endure this kind of plan. That's politics. And if we were smart politically, we wouldn't point out all the problems. We would just go home and let America find out and then put us in the majority party.

Mr. KING of Iowa. Reclaiming my time, I completely agree with the judge in that statement. This is a horrible policy for America. I would put it out this way: This is the HillaryCare plan. This is 1993 HillaryCare, the flowchart that I think sunk HillaryCare. The chart that scared the American people and mobilized them to ring the phones off the hook then, to run ads and raise their resistance because they did not want to have a government-run plan that took away their freedom. That's HillaryCare. This is ObamaCare. If you hated HillaryCare, you can't like ObamaCare.

This flowchart, the black-and-white HillaryCare flow chart, was devastating to a national health care agenda. Can I say, a government-run health care program? Can I say that about the old one, I wonder? I wonder if this one was mailed off by frank mail. I wonder if the people in charge then in 1993 had ruled that there wasn't freedom of speech on the part of Members

of Congress. I will bet that this chart went into all kinds of envelopes and got spread all the way across America, and people opened it up and put it on their kitchen counter and stuck it up with magnets on the refrigerator and thought, What are they doing there in Washington, D.C.? We didn't send them there to grow a Big Government program. They rejected it. That was the end of the momentum of the Clinton Presidency then when HillaryCare went down.

Now we have ObamaCare, and the censoring of this—first of all, I want to make this point that I don't really need to show this chart and send it to my constituents. They already know what we're going into. They know that my vote on this and my effort on this thing are pretty well settled. I have said for years that I'm going to oppose any national health care plan.

No amount of logic is going to change the minds of the people over on this side of the aisle. They have come to a political conclusion, a conclusion that they're going to band together and they're going to pass something that President Obama will sign. He'll sign most anything as long as it says that it's got the public health plan in it. If it has the public health plan in it, it will starve out the private and we will have what almost all of them have said from the beginning.

They want a single-payer plan, a government plan. They don't believe in private health insurance. They don't believe in the best health care system of the world. They do believe in censoring, but the American people cannot be censored. We have Internet. We have Twitter. This kind of a chart can be forwarded all over this country, and by tomorrow morning it could be on every computer if the American people just decided they wanted to make sure that you could see it. You can't understand this health care program if you read the print, but if you look at this chart on your screen, you will pick up the phone, and the American people will be scared enough, I think, to jam the phone lines again in field offices.

I yield to the gentleman from Texas.

Mr. GOHMERT. I realize the gentleman's time is going to expire at 11:30, but I just wanted to finish. This is about freedom of life, pursuit of happiness. This is about freedom and life, and Mark Levin's book Liberty and Tyranny, he has got so many tremendous quotes, but I just wanted to make this final comment.

President Reagan—this quote's in the book—said ''Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States where men were free.'' That's why we're here fighting.

I yield back the balance of my time.

Mr. KING of Iowa. When men were free. Reclaiming my time, and concluding. I want to conclude. However appropriate it was, the statement made by the gentleman from Texas, that when the President says if you like your health insurance plan, you can keep it, here is what the bill actually says.

Section 102, ''By the end of the 5-year period, a group health plan must meet the minimum benefits required under section 121.'' That set qualified plan I talked about, no plan is going to be the same in 5 years as it is today. If you like your health insurance plan that you have, as John Shadegg said, get ready to lose it or rise up and defend your freedom.

With that, Mr. Speaker, I yield back the balance of my time.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. SALAZAR, for 5 minutes, today.

Mrs. MALONEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. SPRATT, for 5 minutes, today.

(The following Members (at the request of Mr. BURTON of Indiana) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, July 30.

Mr. JONES, for 5 minutes, July 30.

Mr. DANIEL E. LUNGREN of California for 5 minutes, today.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 30 minutes p.m.), the House adjourned until tomorrow, Friday, July 24, 2009, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2778. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Contract Reporting (DFARS Case 2007-D006) (RIN: 0750-AF77) received July 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2779. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Beverages: Bottled Water [Docket No.: FDA-2008-N-0446] received July 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2780. A letter from the Director, Office of Personnel Management, transmitting a report on agencies' use of the Physicians' Comparability Allowance Program for fiscal year 2008, pursuant to 5 U.S.C. 5948(j)(1); to the Committee on Oversight and Government Reform.

2781. A letter from the Acting Chief Acquisition Officer, Office of the Chief Acquisition Officer, GSA, Department of Defense, transmitting the Department's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-35; Introduction [Docket FAR 2009-0001, Sequence 6] received July 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2782. A letter from the Acting Associate General Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2783. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2784. A letter from the Secretary, Department of Transportation, transmitting the Department's annual report for Fiscal Year 2008 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

2785. A letter from the Director, Office of Human Resources, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2786. A letter from the Director, Office of Human Resources, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2787. A letter from the Director, Office of Human Resources, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

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2792. A letter from the Director, Office of Human Resources, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2793. A letter from the General Counsel & Senior Policy Advisor, Executive Office of the President, Office of Management and Budget, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2794. A letter from the Senior Vice President and Chief Accounting Officer, Federal Home Loan Bank of Dallas, transmitting the 2008 management report of the Federal Home Loan Bank of Dallas, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

2795. A letter from the General Counsel, FHFA, Federal Housing Finance Board, transmitting the Board's final rule — Privacy Act Implementation (RIN: 2590-AA07) received July 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2796. A letter from the Director, Office of Personnel Management, transmitting the Office's Annual Privacy Activity Report to Congress for 2008; to the Committee on Oversight and Government Reform.

2797. A letter from the General Counsel, Pension Benefit Guaranty Corporation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2798. A letter from the Acting Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Disclosure and Amendment of Records Pertaining to Individuals Under the Privacy Act — received July 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2799. A letter from the Chairman, Postal Regulatory Commission, transmitting the Commission's annual report for fiscal year 2008 on the Federal Employee Antidiscrimination and Retaliation Act of 2002, pursuant to Public Law 107-174; to the Committee on Oversight and Government Reform.

2800. A letter from the Secretary, Smithsonian Institution, transmitting a copy of the Institution's audited financial statement for fiscal year 2008, pursuant to 20 U.S.C. 57; to the Committee on Oversight and Government Reform.

2801. A letter from the Deputy Director, NIST, Department of Commerce, transmitting the Department's final rule — Recovery Act Measurement Science and Engineering Research Grants Program [Docket Number: 090306283-9284-01] received July 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science and Technology.

2802. A letter from the Deputy Director, NIST, Department of Commerce, transmitting the Department's final rule — Recovery Act Measurement Science and Engineering Research Fellowship Program [Docket Number: 090306281-9287-01] received July 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science and Technology.

2803. A letter from the Deputy Director, NIST, Department of Commerce, transmitting the Department's final rule — Professional Research Experience Program (PREP); Availability of Funds [Docket Number: 090401620-9621-01] received July 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science and Technology.

2804. A letter from the Director, Regulation Policy & Management, Department of Veterans Affairs, transmitting the Department's final rule — Foreign Medical Program of the Department of Veterans Affairs — Hospital Care and Medical Services in Foreign Countries (RIN: 2900-AN07) received July 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SKELTON: Committee on Armed Services. House Resolution 602. Resolution requesting that the President and directing that the Secretary of Defense transmit to the House of Representatives all information in their possession relating to specific communications regarding detainees and foreign persons suspected of terrorism; with an amendment (Rept. 111–221). Referred to the House Calendar.

Mr. HASTINGS of Florida: Committee on Rules. House Resolution 683. Resolution providing for consideration of the bill (H.R. 3293) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2010, and for other purposes (Rept. 111–222). Referred to the House Calendar.

Mr. FILNER: Committee on Veterans' Affairs. H.R. 3219. A bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to insurance and health care, and for other purposes (Rept. 111–223). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' Affairs. H.R. 3155. A bill to amend title 38, United States Code, to provide certain caregivers of veterans with training, support, and medical care, and for other purposes; with an amendment (Rept. 111–224). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' Affairs. H.R. 2770. A bill to amend title 38, United States Code, to modify and update provisions of law relating to nonprofit research and education corporations, and for other purposes; with an amendment (Rept. 111–225). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' Affairs. H.R. 1293. A bill to amend title 38, United States Code, to provide for an increase in the amount payable by the Secretary of Veterans Affairs to veterans for improvements and structural alterations furnished as part of home health services (Rept. 111–226). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GEORGE MILLER of California (for himself, Ms. WOOLSEY, and Mr. HARE):

H.R. 3303. A bill to amend the Port-to-Portal Act of 1947 to suspend the statute of limitations for certain rights of action under the Fair Labor Standards Act during investigations by the Secretary of Labor; to the Committee on Education and Labor, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YARMUTH (for himself, Mr. ROGERS of Kentucky, Mr. DAVIS of Kentucky, Mr. GUTHRIE, Mr. WHITFIELD, and Mr. CHANDLER):

H.R. 3304. A bill to designate the current and future Department of Veterans Affairs Medical Center in Louisville, Kentucky, as the ''Robley Rex Department of Veterans Affairs Medical Center''; to the Committee on Veterans' Affairs.

By Mr. SULLIVAN (for himself, Mr. LUCAS, Mr. BOREN, Mr. COLE, and Ms. FALLIN):

H.R. 3305. A bill to designate the Federal building and United States courthouse located at 224 South Boulder Avenue in Tulsa, Oklahoma, as the ''H. Dale Cook Federal Building and United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. TANNER (for himself and Mr. SAM JOHNSON of Texas):

H.R. 3306. A bill to amend the Social Security Act to enhance Social Security account number privacy protections, to prevent fraudulent misuse of the Social Security account number, and to otherwise enhance protection against identity theft, and for other purposes; to the Committee on Ways and Means.

By Mr. MICA (for himself, Mr. JONES, Mr. MCINTYRE, Mr. BROWN of South Carolina, Mr. CRENSHAW, Mr. STEARNS, Mr. WESTMORELAND, and Mr. MILLER of Florida):

H.R. 3307. A bill to direct the Secretary of Commerce to conduct a study of the population of the South Atlantic red snapper fishery, and to limit the authority of the Secretary to promulgate any interim rule that prohibits fishing in the South Atlantic red snapper fishery; to the Committee on Natural Resources.

By Mr. SHULER (for himself, Mr. ALTMIRE, Mr. ARCURI, Mr. BARROW, Ms. BEAN, Mr. BISHOP of Georgia, Mr. BOUCHER, Mr. DAVIS of Alabama, Mr. GORDON of Tennessee, Mr. HILL, Mr. KAGEN, Mr. KANJORSKI, Mr. MARSHALL, Mr. MCINTYRE, Mr. MELANCON, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. SPACE, Mr. STUPAK, Mr. TAYLOR, Mr. VISCLOSKY, Mr. CHILDERS, Mr. BOYD, Mr. NYE, Mr. KISSELL, Mr. KRATOVIL, Mr. GRIFFITH, Mr. BRIGHT, Mr. MINNICK, Mr. DONNELLY of Indiana, Mr. ROSS, Mr. ELLSWORTH, Mr. RODRIGUEZ, Mr. CARNEY, Mr. BARRETT of South Carolina, Mr. BOOZMAN, Mr. BRADY of Texas, Ms. GINNY BROWN-WAITE of Florida, Mr. BURTON of Indiana, Mr. BUYER, Mr. CAMPBELL, Mr. COBLE, Mr. CONAWAY, Mr. CRENSHAW, Mr. DUNCAN, Mr. FRANKS of Arizona, Mr. GINGREY of Georgia, Mr. KING of Iowa, Mr. LINDER, Mr. MCCAUL, Mr. GARY G. MILLER of California, Mrs. MYRICK, Mr. POE of Texas, Mr. ROHRABACHER, Mr. ROSKAM, Mr. YOUNG of Alaska, Mr. YOUNG of Florida, Mr. ROE of Tennessee, Mr. MCCLINTOCK, Mr. CULBERSON, Mr. OLSON, Mr. WHITFIELD, Mr. TIAHRT, Mr. LAMBORN, Mr. HUNTER, Mr. BILBRAY, Mr. MCHENRY, Mr. ROYCE, Mr. GALLEGLY, Mr. DAVIS of Kentucky, Mr. GOODLATTE, Mr. GRAVES, Mr. MANZULLO, Mr. LUETKEMEYER, Mrs. CAPITO, Mr. MORAN of Kansas, and Mr. DEAL of Georgia):

H.R. 3308. A bill to provide immigration reform by securing America's borders, clarifying and enforcing existing laws, and enabling a practical employer verification program; to the Committee on Homeland Security, and in addition to the Committees on the Judiciary, Ways and Means, Education and Labor, Oversight and Government Reform, Armed Services, Agriculture, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OLSON:

H.R. 3309. A bill to amend the Fair Labor Standards Act of 1938 to postpone the increase in the minimum wage for 1 year; to the Committee on Education and Labor.

By Mr. BACHUS (for himself, Mr. BOEHNER, Mr. CANTOR, Mr. PENCE, Mr. SMITH of Texas, Mr. FRANKS of Arizona, Mr. ISSA, Mr. NEUGEBAUER, Mr. GARRETT of New Jersey, Mr. HENSARLING, Mr. PRICE of Georgia, Mrs. BIGGERT, Mrs. CAPITO, Mr. JONES, Mr. POSEY, Mr. LANCE, Mr. MARCHANT, Mr. ROYCE, Mr. LEE of New York, Mr. LUCAS, Mr. ROSKAM, Mrs. BACHMANN, Ms. JENKINS, Mr. BARRETT of South Carolina, Mr. SCALISE, Mr. GOODLATTE, Mr. GERLACH, and Mr. RYAN of Wisconsin):

H.R. 3310. A bill to reform the financial regulatory system of the United States, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Education and Labor, Transportation and Infrastructure, the Judiciary, Agriculture, Oversight and Government Reform, the Budget, Rules, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER:

H.R. 3311. A bill to direct the Secretary of the Treasury to establish a pilot program to study alternatives to the current system of taxing motor vehicle fuels, including systems based on the number of miles traveled by each vehicle; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, Energy and Commerce, and Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN of Ohio (for himself, Ms. DELAURO, Ms. HERSETH SANDLIN, Mr. PERRIELLO, Mr. SMITH of Washington, Mr. FARR, Mr. CROWLEY, Mr. MCGOVERN, Mr. OBEY, Mr. MEEK of Florida, Mr. DAVIS of Alabama, Mr. DOYLE, and Mr. LANGEVIN):

H.R. 3312. A bill to provide for programs that reduce the number of unplanned pregnancies, reduce the need for abortion, help women bear healthy children, and support new parents; to the Committee on Energy and Commerce, and in addition to the Committees on Education and Labor, Ways and Means, the Judiciary, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHAUER (for himself, Mr. LEVIN, Mr. DINGELL, Mr. PETERS, Ms. KILPATRICK of Michigan, Mr. KILDEE, and Mr. CONYERS):

H.R. 3313. A bill to modify and waive certain requirements under title 23, United States Code, to assist States with a high unemployment rate in carrying out Federal-aid highway construction projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SCHAUER (for himself, Mr. LEVIN, Mr. DINGELL, Mr. PETERS, Ms. KILPATRICK of Michigan, Mr. KILDEE, and Mr. CONYERS):

H.R. 3314. A bill to amend title 23, United States Code, to assist States with a high unemployment rate under the equity bonus program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CARSON of Indiana (for himself, Ms. BORDALLO, Ms. CORRINE BROWN of Florida, Ms. JACKSON-LEE of Texas, Mr. PASCRELL, Mr. STARK, Mr. SHIMKUS, Mr. MEEKS of New York, Mr. GRAYSON, and Mr. SABLAN):

H.R. 3315. A bill to amend the Child Care and Development Block Grant Act of 1990 to require criminal background checks of child care providers; to the Committee on Education and Labor.

By Mr. HOLDEN:

H.R. 3316. A bill to suspend temporarily the duty on 11-Aminoundecanoic acid; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 3317. A bill to direct the Commissioner of Food and Drugs to revise the Federal regulations applicable to the declaration of the trans fat content of a food on the label and in the labeling of the food when such content is less than 0.5 gram; to the Committee on Energy and Commerce.

By Ms. KILROY:

H.R. 3318. A bill to establish by law a permanent Investor Advisory Committee within the Securities and Exchange Commission to give investors a greater voice in the Securities and Exchange Commission's work; to the Committee on Financial Services.

By Mr. MCCLINTOCK (for himself, Mr. BILBRAY, Mr. NUNES, Ms. WATSON, Mr. CALVERT, Mr. BACA, Mr. RADANOVICH, Ms. LINDA T. SÁNCHEZ of California, Mr. GALLEGLY, Mr. HERGER, Mr. MCKEON, Mr. SCHIFF, Mrs. BONO MACK, Mr. FARR, Mr. THOMPSON of California, Mr. DANIEL E. LUNGREN of California, Mr. MCNERNEY, Mrs. DAVIS of California, Mrs. NAPOLITANO, Mr. ROHRABACHER, Mr. MCCARTHY of California, Ms. LEE of California, Mr. GARY G. MILLER of California, Ms. MATSUI, Ms. HARMAN, Ms. WATERS, Ms. WOOLSEY, Mr. WAXMAN, Ms. PELOSI, Mr. GEORGE MILLER of California, Mr. ISSA, Ms. ZOE LOFGREN of California, Mr. CARDOZA, Mr. COSTA, Mr. HUNTER, Mr. ROYCE, Mr. LEWIS of California, Mr. CAMPBELL, Mr. HONDA, Mrs. CAPPS, Mr. SHERMAN, Mr. BECERRA, Ms. ROYBAL-ALLARD, Ms. RICHARDSON, Mr. BERMAN, Mr. DREIER, Mr. STARK, Ms. SPEIER, Ms. ESHOO, Ms. LORETTA SANCHEZ of California, Ms. CHU, and Mr. FILNER):

H.R. 3319. A bill to designate the facility of the United States Postal Service located at 440 South Gulling Street in Portola, California, as the "Army Specialist Jeremiah Paul McCleery Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. MOORE of Kansas (for himself and Mr. PAYNE):

H.R. 3320. A bill to amend title 28, United States Code, to provide an exception to the requirement of motion to the court of appeals before filing certain second or subsequent petitions for habeas corpus, and for other purposes; to the Committee on the Judiciary.

By Ms. MOORE of Wisconsin (for herself and Mr. CARSON of Indiana):

H.R. 3321. A bill to amend the Richard B. Russell National School Lunch Act to expand access to healthy afterschool meals for school children in working families; to the Committee on Education and Labor.

By Mr. MURPHY of New York (for himself and Mr. TONKO):

H.R. 3322. A bill to respond to the current over-supply of milk by temporarily increasing the payment rate for payments under the milk income loss contract program and by directing the Secretary of Agriculture to facilitate the efforts of producer associations and other third parties to remove dairy cows from production, and for other purposes; to the Committee on Agriculture.

By Ms. NORTON:

H.R. 3323. A bill to establish a District of Columbia National Guard Educational Assistance Program to encourage the enlistment and retention of persons in the District of Columbia National Guard by providing financial assistance to enable members of the National Guard of the District of Columbia to attend undergraduate, vocational, or technical courses; to the Committee on Armed Services.

By Mr. HALL of New York (for himself, Mr. FILNER, Mr. RODRIGUEZ, Mr. CAPUANO, Ms. BORDALLO, and Mr. ALTMIRE):

H. Con. Res. 168. Concurrent resolution supporting the goals and ideals of "National Purple Heart Recognition Day"; to the Committee on Armed Services.

By Ms. LORETTA SANCHEZ of California (for herself, Mr. CAO, and Ms. ZOE LOFGREN of California):

H. Res. 672. A resolution calling on the Government of the Socialist Republic of Vietnam to release imprisoned bloggers and respect Internet freedom; to the Committee on Foreign Affairs.

By Mr. DANIEL E. LUNGREN of California (for himself, Mr. BRADY of Pennsylvania, Mr. CAPUANO, Mr. MCCARTHY of California, and Mr. HARPER):

H. Res. 674. A resolution extending the deep gratitude of the House of Representatives to the men and women of the United States Capitol Police for the vigilance, courage, and professionalism that they demonstrate daily in protecting Congress from all manner of threats; to the Committee on House Administration.

By Mr. PRICE of North Carolina (for himself, Mr. DREIER, Mr. WEXLER, Mr. BURTON of Indiana, Mr. FALEOMAVAEGA, Mr. MANZULLO, Mr. BERMAN, Ms. ROS-LEHTINEN, Ms. HIRONO, Mrs. CAPPS, Ms. GRANGER, Mr. FORTENBERRY, Mr. BOOZMAN, Mr. BOUSTANY, Ms. ROYBAL-ALLARD, Mr. FARR, Ms. SCHWARTZ, Mr. ETHERIDGE, Mr. ELLISON, Mr. MILLER of North Carolina, Mr. POMEROY, Mr. MCDERMOTT, Mr. LEVIN, Mr. COOPER, Mr. PAYNE, Mr. LINCOLN DIAZ-BALART of Florida, Mr. BUCHANAN, Mr. GINGREY of Georgia, Mr. DELAHUNT, Mr. GORDON of Tennessee, Ms. WOOLSEY, Mr. SABLAN, and Ms. MOORE of Wisconsin):

H. Res. 675. A resolution condemning the July 17, 2009, terrorist bombings in Indonesia and expressing condolences to the people of Indonesia and the various other countries suffering casualties in the attacks; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 21: Ms. EDWARDS of Maryland.

H.R. 24: Mr. SHERMAN, Mr. SESTAK, and Mr. SCHOCK.

H.R. 39: Mr. HINCHEY, Mr. MCGOVERN, Mr. HEINRICH, Mr. INSLEE, Ms. SPEIER, Mr. RYAN of Ohio, and Mr. SERRANO.

H.R. 42: Mr. BERMAN.

H.R. 52: Mr. WEXLER.

H.R. 122: Mr. MARCHANT.

H.R. 213: Mr. WITTMAN and Ms. HERSETH SANDLIN.

H.R. 268: Mr. WITTMAN.

H.R. 333: Mr. TURNER and Mr. CHAFFETZ.

H.R. 433: Mr. WITTMAN.

H.R. 482: Mr. BUYER.

H.R. 510: Mr. KING of Iowa.

H.R. 690: Mr. SHULER, Mr. ISRAEL, and Mr. ROONEY.
H.R. 718: Mr. PAUL and Mrs. MYRICK.
H.R. 827: Mr. CARSON of Indiana.
H.R. 836: Mr. CUELLAR, Mr. PASTOR of Arizona, Mr. DAVIS of Kentucky, Mr. ROGERS of Alabama, Mr. BACA, and Mr. PATRICK J. MURPHY of Pennsylvania.
H.R. 881: Mr. KLINE of Minnesota and Mr. MORAN of Kansas.
H.R. 905: Mr. EHLERS.
H.R. 930: Mr. BARTLETT.
H.R. 953: Mr. KAGEN.
H.R. 1032: Ms. HERSETH SANDLIN.
H.R. 1076: Mr. PLATTS.
H.R. 1091: Mr. GEORGE MILLER of California.
H.R. 1103: Mr. CRENSHAW.
H.R. 1132: Mr. BRADY of Pennsylvania, Mr. NADLER of New York, Ms. HERSETH SANDLIN, and Mr. SPACE.
H.R. 1177: Mr. MCINTYRE, Mr. POSEY, and Mr. GRAVES.
H.R. 1215: Ms. KILPATRICK of Michigan, Ms. HIRONO, and Mr. HINCHEY.
H.R. 1250: Mr. WEXLER, Mr. BISHOP of New York, Mr. ROGERS of Kentucky, Ms. BEAN, and Mr. BONNER.
H.R. 1313: Mr. HALL of New York, Ms. FALLIN, and Mr. THOMPSON of California.
H.R. 1327: Mr. MARSHALL and Mr. MARCHANT.
H.R. 1351: Ms. SPEIER.
H.R. 1352: Mr. DAVIS of Alabama, Ms. FOXX, Mr. ROTHMAN of New Jersey, and Mr. KIND.
H.R. 1410: Mr. ROTHMAN of New Jersey.
H.R. 1425: Mr. PIERLUISI.
H.R. 1441: Mr. LATHAM, Mr. PAYNE, Mr. CRENSHAW, and Mr. MORAN of Kansas.
H.R. 1474: Mr. TONKO.
H.R. 1547: Mrs. EMERSON.
H.R. 1557: Mr. HIMES.
H.R. 1585: Mr. MOORE of Kansas.
H.R. 1589: Ms. WATERS and Mr. KUCINICH.
H.R. 1646: Mr. HARE.
H.R. 1670: Mr. FARR.
H.R. 1702: Mr. MCNERNEY.
H.R. 1716: Mr. PATRICK J. MURPHY of Pennsylvania.
H.R. 1818: Mr. CAPUANO.
H.R. 1826: Mr. JACKSON of Illinois.
H.R. 1829: Mr. BARROW.
H.R. 1831: Mr. PASCRELL, Mr. MURTHA, Mr. ABERCROMBIE, and Mr. GORDON of Tennessee.
H.R. 1844: Mr. GRIJALVA, Mr. JACKSON of Illinois, and Mr. PASTOR of Arizona.
H.R. 1894: Ms. MATSUI.
H.R. 1925: Mr. HIGGINS, Mr. LOEBSACK, and Mr. MICHAUD.
H.R. 1956: Mr. CASTLE.
H.R. 1974: Mr. GRIJALVA.
H.R. 1977: Ms. SCHAKOWSKY and Ms. JACKSON-LEE of Texas.
H.R. 2000: Ms. BERKLEY.
H.R. 2002: Mr. BOOZMAN, Mr. PRICE of North Carolina, and Mr. SARBANES.
H.R. 2035: Mr. KILDEE.
H.R. 2058: Mr. HOLT and Mr. ROTHMAN of New Jersey.
H.R. 2061: Mr. GARRETT of New Jersey.
H.R. 2084: Mr. GORDON of Tennessee.
H.R. 2113: Mr. GRIJALVA.
H.R. 2122: Mr. BURTON of Indiana.
H.R. 2137: Mr. JACKSON of Illinois, Mr. HINOJOSA, and Mr. BUTTERFIELD.
H.R. 2190: Ms. BALDWIN, Mr. FILNER, Mr. PAYNE, Ms. ESHOO, Mr. MILLER of North Carolina, and Mr. HOLT.
H.R. 2194: Mr. WAMP, Mr. HONDA, Mr. ISSA, Mr. SMITH of Texas, Mr. JORDAN of Ohio, Mrs. CAPITO, Mr. KENNEDY, Mr. SCOTT of Georgia, Mr. ROGERS of Kentucky, Mr. MARSHALL, Mr. AL GREEN of Texas, Mr. BUYER, and Mr. KINGSTON.
H.R. 2222: Mr. HOLDEN and Mr. MILLER of North Carolina.
H.R. 2254: Mr. LUCAS.
H.R. 2256: Mr. JOHNSON of Georgia and Mr. MEEKS of New York.
H.R. 2262: Ms. SCHAKOWSKY, Mr. SMITH of Washington, Ms. WATERS, Mr. PASTOR of Arizona, and Mr. GUTIERREZ.
H.R. 2268: Mr. MINNICK.
H.R. 2269: Mr. JACKSON of Illinois and Mr. GRIJALVA.
H.R. 2277: Mr. COHEN.
H.R. 2296: Mrs. HALVORSON, Mr. LATTA, and Mr. BOYD.
H.R. 2329: Mr. LOBIONDO, Mr. MORAN of Kansas, Mrs. BONO MACK, Mr. PUTNAM, Mr. ROONEY, and Mr. ROTHMAN of New Jersey.
H.R. 2396: Mr. HASTINGS of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. KAGEN.
H.R. 2455: Ms. SHEA-PORTER, Mr. STARK, and Mr. RANGEL.
H.R. 2476: Mr. HELLER.
H.R. 2480: Mr. PATRICK J. MURPHY of Pennsylvania and Mrs. MALONEY.
H.R. 2493: Mr. MCHENRY and Mr. CARNAHAN.
H.R. 2542: Mrs. DAVIS of California.
H.R. 2561: Mr. GRAYSON.
H.R. 2565: Mr. THOMPSON of California.
H.R. 2648: Mr. CHANDLER.
H.R. 2681: Mr. CARSON of Indiana and Mr. SABLAN.
H.R. 2692: Mr. COSTELLO.
H.R. 2710: Mr. PRICE of North Carolina and Mr. CONYERS.
H.R. 2732: Mr. WILSON of South Carolina.
H.R. 2733: Mr. BONNER.
H.R. 2759: Mr. LARSON of Connecticut, Mr. MICHAUD, Mr. MCINTYRE, and Mr. JACKSON of Illinois.
H.R. 2766: Mr. BAIRD.
H.R. 2787: Mr. YOUNG of Alaska.
H.R. 2799: Mr. BRADY of Pennsylvania, Mr. CONNOLLY of Virginia, and Mr. RANGEL.
H.R. 2801: Mr. YOUNG of Alaska.
H.R. 2831: Ms. SCHAKOWSKY.
H.R. 2894: Mr. COSTELLO.
H.R. 2902: Mr. DEFAZIO.
H.R. 2906: Mr. ROGERS of Michigan and Ms. BERKLEY.
H.R. 2946: Mr. SPACE and Mr. GORDON of Tennessee.
H.R. 2964: Mr. LOBIONDO.
H.R. 2992: Mr. JOHNSON of Illinois.
H.R. 2993: Mr. LUCAS.
H.R. 3017: Ms. HIRONO and Mr. THOMPSON of California.
H.R. 3020: Mr. KRATOVIL.
H.R. 3036: Mr. JOHNSON of Illinois.
H.R. 3042: Ms. JACKSON-LEE of Texas, Mr. PAYNE, Mr. BRADY of Pennsylvania, Ms. KILROY, and Mr. CONNOLLY of Virginia.
H.R. 3043: Mr. CARSON of Indiana, Mr. DOGGETT, Mr. FILNER, Mr. MCDERMOTT, and Ms. WOOLSEY.
H.R. 3053: Mr. STARK.
H.R. 3057: Mrs. LOWEY, Mr. BISHOP of New York, and Mr. RYAN of Ohio.
H.R. 3070: Mr. GRIJALVA, Mr. MCMAHON, and Ms. KILPATRICK of Michigan.
H.R. 3092: Mr. WEXLER.
H.R. 3102: Ms. KILPATRICK of Michigan.
H.R. 3106: Ms. KILPATRICK of Michigan and Mr. GRIJALVA.
H.R. 3110: Mr. FILNER and Mr. MCMAHON.
H.R. 3116: Mr. ROSS.
H.R. 3131: Mr. COBLE, Mr. LATTA, Mr. BROUN of Georgia, Ms. FOXX, Mr. GINGREY of Georgia, Mr. SHADEGG, Ms. FALLIN, Mr. KING of Iowa, Mrs. SCHMIDT, Mr. ISSA, Mr. PENCE, Mr. CONAWAY, Mr. CHAFFETZ, Mr. KINGSTON, Mr. FLEMING, and Mr. PITTS.
H.R. 3144: Ms. GIFFORDS.
H.R. 3164: Mr. HONDA and Mr. NYE.
H.R. 3168: Mr. MCDERMOTT.
H.R. 3186: Mr. FILNER.
H.R. 3212: Mr. PAULSEN and Ms. SCHAKOWSKY.
H.R. 3221: Mr. HONDA, Ms. CHU, Mr. HALL of New York, Mr. DINGELL, and Mr. LEVIN.
H.R. 3225: Mr. HINCHEY, Ms. HIRONO, Mr. OLVER, and Mr. STARK.
H.R. 3232: Ms. KAPTUR, Mr. DRIEHAUS, and Ms. WATERS.
H.R. 3245: Ms. EDWARDS of Maryland and Mr. DAVIS of Illinois.
H.R. 3250: Mrs. LOWEY, Ms. CLARKE, Mr. KING of New York, Mr. LEE of New York, and Mr. CAO.
H.R. 3264: Ms. BORDALLO.
H.R. 3265: Mr. MORAN of Virginia.
H.R. 3269: Ms. WATERS.
H.J. Res. 26: Mr. WEINER.
H. Con. Res. 51: Mr. PENCE, Ms. JACKSON-LEE of Texas, Ms. WATSON, Mr. SIRES, Mr. CROWLEY, and Mr. WILSON of South Carolina.
H. Con. Res. 74: Mr. MURPHY of Connecticut.
H. Con. Res. 98: Ms. WOOLSEY.
H. Con. Res. 121: Mr. BISHOP of Georgia, Mr. HUNTER, and Mr. TURNER.
H. Con. Res. 126: Mr. SNYDER and Mr. MCDERMOTT.
H. Con. Res. 128: Ms. SHEA-PORTER, Ms. ROS-LEHTINEN, and Mr. MCGOVERN.
H. Con. Res. 157: Mr. ROHRABACHER, and Mr. WILSON of Ohio.
H. Con. Res. 159: Mr. ACKERMAN, and Mr. MILLER of North Carolina.
H. Con. Res. 163: Mr. KILDEE, Mr. ORTIZ, Mr. DOGGETT, Mr. MCGOVERN, and Mr. SABLAN.
H. Con. Res. 167: Mr. COSTA.
H. Res. 57: Mr. TIBERI.
H. Res. 175: Mr. ROTHMAN of New Jersey.
H. Res. 252: Mrs. BONO MACK.
H. Res. 267: Mr. ROGERS of Michigan.
H. Res. 291: Mr. ISRAEL, Mr. CAPUANO, Mr. MOORE of Kansas, Mr. GRIJALVA, and Mr. KING of New York.
H. Res. 333: Mr. STARK.
H. Res. 403: Mr. COHEN.
H. Res. 459: Mrs. BIGGERT, Mr. COSTELLO, Mr. JOHNSON of Illinois, and Mr. HARE.
H. Res. 494: Mr. MILLER of North Carolina, Mr. ORTIZ, and Mr. JOHNSON of Georgia.
H. Res. 510: Mr. CONYERS.
H. Res. 511: Mr. MCDERMOTT, Mr. GRIJALVA, Mr. DELAHUNT, Mr. FALEOMAVAEGA, Ms. WATSON, Mr. DINGELL, Mr. PAYNE, Ms. HIRONO, Mr. TIERNEY, Mr. TANNER, and Ms. JACKSON-LEE of Texas.
H. Res. 555: Mr. HONDA, Mr. ROTHMAN of New Jersey, Mr. REHBERG, Mr. WILSON of South Carolina, Mr. SIRES, Mr. GALLEGLY, Ms. ZOE LOFGREN of California, Mr. FORTENBERRY, and Ms. MCCOLLUM.
H. Res. 569: Mr. CONYERS, Mr. HOLT, Ms. GIFFORDS, Mr. BOSWELL, Mr. OLVER, Mr. FILNER, Mr. RANGEL, Ms. KAPTUR, Mr. CONNOLLY of Virginia, Mr. DELAHUNT, Mr. SMITH of Washington, Mr. KING of Iowa, Mr. ELLISON, Ms. MCCOLLUM, and Mr. HONDA.
H. Res. 583: Mr. SABLAN.
H. Res. 599: Mr. HINCHEY.
H. Res. 605: Mr. CULBERSON, Mr. PRICE of North Carolina, Mr. HUNTER, Mr. DENT, and Ms. KILROY.
H. Res. 608: Ms. BORDALLO.
H. Res. 611: Mr. CULBERSON.
H. Res. 619: Mr. BROWN of South Carolina, Mr. SHIMKUS, Mr. STEARNS, and Mr. NUNES.
H. Res. 630: Mr. DAVIS of Illinois, Ms. KILPATRICK of Michigan, Mr. FATTAH, Mr. BISHOP of Georgia, and Mr. RODRIGUEZ.
H. Res. 659: Mr. DAVIS of Illinois, Ms. JACKSON-LEE of Texas, and Ms. CLARKE.
H. Res. 663: Ms. GINNY BROWN-WAITE of Florida.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative OBEY of Wisconsin, or a designee,

to H.R. 3293, the Labor, Health and Human Services, Education, and Related Agencies Appropriations Act, 2010, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 3293

OFFERED BY: MR. KLINE OF MINNESOTA

AMENDMENT NO. 1: Page 2, line 19, after the dollar amount, insert ''(reduced by $195,000,000)''.

Page 6, line 7, after the dollar amount, insert ''(reduced by $195,000,000)''.

Page 8, line 3, after the dollar amount, insert ''(reduced by $50,000,000)''.

Page 8, line 12, after the dollar amount, insert ''(reduced by $130,000,000)''.

Page 8, line 21, after the dollar amount, insert ''(reduced by $15,000,000)''.

Page 43, line 16, after the first dollar amount, insert ''(reduced by $300,000,000)''.

Page 43, line 20, after the dollar amount, insert ''(reduced by $300,000,000)''.

Page 84, line 17, after the dollar amount, insert ''(reduced by $100,000,000)''.

Page 84, line 18, after the dollar amount, insert ''(reduced by $100,000,000)''.

Page 86, line 25, after the dollar amount, insert ''(reduced by $148,000,000)''.

Page 87, line 9, after the dollar amount, insert ''(reduced by $38,000,000)''.

Page 91, line 23, after the dollar amount, insert ''(increased by $1,000,150,000)''.

Page 91, line 24, after the dollar amount, insert ''(increased by $1,000,150,000)''.

Page 94, line 8, after the dollar amount, insert ''(reduced by $88,000,000)''.

Page 94, line 9, after the dollar amount, insert ''(reduced by $4,400,000)''.

Page 94, line 11, after the dollar amount, insert ''(reduced by $83,600,000)''.

Page 95, line 23, after the dollar amount, insert ''(reduced by $88,000,000)''.

Page 107, line 7, after the dollar amount, insert ''(reduced by $111,615,000)''.

Page 107, line 8, after the dollar amount, insert ''(reduced by $8,997,000)''.

Page 107, line 9, after the dollar amount, insert ''(reduced by $102,618,000)''.

Page 107, line 16, after the dollar amount, insert ''(reduced by $21,607,000)''.

Page 107, line 18, after the dollar amount, insert ''(reduced by $7,500,000)''.

Page 107, line 21, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 108, line 1, after the dollar amount, insert ''(reduced by $5,210,000)''.

Page 108, line 11, after the dollar amount, insert ''(reduced by $47,139,000)''.

Page 109, line 11, after the dollar amount, insert ''(reduced by $9,208,000)''.

Page 109, line 15, after the dollar amount, insert ''(reduced by $1,188,000)''.

H.R. 3293

OFFERED BY: MR. KINGSTON

AMENDMENT NO. 2: Page 14, line 11, insert before the period the following: ''*Provided*, That not less than $20,000,000 shall be used for technology-based overpayment prevention, detection, and collection infrastructure investments to conduct such reviews''.

H.R. 3293

OFFERED BY: MR. BUYER

AMENDMENT NO. 3: Page 29, line 7, after the dollar amount, insert the following: ''(increased by $10,359,000)''.

Page 28, line 8, after the dollar amount, insert the following: ''(increased by $10,359,000)''.

Page 107, line 7, after the dollar amount, insert the following: ''(reduced by $10,359,000)''.

Page 107, line 9, after the dollar amount, insert the following: ''(reduced by $10,359,000)''.

H.R. 3293

OFFERED BY: MR. BUYER

AMENDMENT NO. 4: Page 29, line 7, after the dollar amount, insert the following: ''(increased by $12,670,000)''.

Page 107, line 7, after the dollar amount, insert the following: ''(reduced by $12,670,000)''.

Page 107, line 9, after the dollar amount, insert the following: ''(reduced by $12,670,000)''.

H.R. 3293

OFFERED BY: MR. CAO

AMENDMENT NO. 5: Page 44, line 4, after the dollar amount, insert ''(reduced by $17,000,000)''.

Page 47, line 5, after the dollar amount, insert ''(increased by $17,000,000)''.

H.R. 3293

OFFERED BY: MR. CAO

AMENDMENT NO. 6: Page 84, line 17, after the dollar amount, insert ''(increased by $30,000,000)''.

Page 94, line 8, after the dollar amount, insert ''(reduced by $16,000,000)''.

Page 94, line 9, after the dollar amount, insert ''(reduced by $16,000,000)''.

Page 102, line 7, after the first dollar amount, insert ''(reduced by $14,000,000)''.

H.R. 3293

OFFERED BY: MR. BUYER

AMENDMENT NO. 7: Page 97, line 18, after the first dollar amount, insert the following: ''(increased by $16,000,000)''.

Page 107, line 7, after the dollar amount, insert the following: ''(reduced by $16,000,000)''.

Page 107, line 9, after the dollar amount, insert the following: ''(reduced by $16,000,000)''.

H.R. 3293

OFFERED BY: MR. LAMBORN

AMENDMENT NO. 8: Page 110, strike line 23 and all that follows through page 12, line 16.

H.R. 3293

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 9: At the end of the bill, before the short title, insert the following:

SEC. ____ None of the funds made available under this Act may be used to fund Presidential Rank Award payments for Distinguished Executive or Meritorious Executive award recipients.

H.R. 3293

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 10: At the end of the bill, before the short title, insert the following:

SEC. ____ Appropriations made in this Act are hereby reduced by 0.05 percent.

H.R. 3293

OFFERED BY: MR. BURTON OF INDIANA

AMENDMENT NO. 11: At the end of the bill (before the short title) insert the following:

SEC. 524. None of the funds made available in this Act may be used in contravention of the Defense of Marriage Act (Public law 104–199).

H.R. 3293

OFFERED BY: MR. CAMP

AMENDMENT NO. 12: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used by any entity receiving funds under this Act, other than the Centers for Medicare & Medicaid Services, to alter Medicare reimbursement rates under part A or B of title XVIII of the Social Security Act.

H.R. 3293

OFFERED BY: MR. CANTOR

AMENDMENT NO. 13: At the end of the bill (before the short title), insert the following:

SEC. 524. None of the funds appropriated or made available under this Act may be used by the Corporation for Public Broadcasting to find that the broadcast of a religious service by a recipient of Community Service Grants is in violation of the eligibility criteria for community service grants.

H.R. 3293

OFFERED BY: MR. CARTER

AMENDMENT NO. 14: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used to promulgate, amend, or repeal any regulation pursuant to the Federal Family Education Loan program under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.).

H.R. 3293

OFFERED BY: MR. GINGREY OF GEORGIA

AMENDMENT NO. 15: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to establish or implement any requirement that an individual receive vaccination for human papillomavirus (HPV) as a condition of school admittance or matriculation.

H.R. 3293

OFFERED BY: MR. GINGREY OF GEORGIA

AMENDMENT NO. 16: At the end of the bill (before the short title), insert the following:

SEC. 524. None of the funds made available in this Act may be used to implement subsections (a) and (c) of section 7131 of title 5, United States Code.

H.R. 3293

OFFERED BY: MR. GRAVES

AMENDMENT NO. 17: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to promulgate, issue, implement, administer, or enforce any regulation that requires an owner of a small business concern as defined in section 3 of the Small Business Act (15 U.S.C. 632) to offer a health benefits plan to an employee.

H.R. 3293

OFFERED BY: MS. JENKINS

AMENDMENT NO. 18: Add at the end, before the short title, the following new section:

SEC. ____. Section 1820(c)(2)(B)(i) of the Social Security Act (42 U.S.C. 1395i-4(c)(2)(B)(i)) is amended by inserting '', or was located in such a rural area at the time that the hospital was originally designated as a critical access hospital under this paragraph (but subsequently such a rural area was redesignated as an urban area, as defined in section 1886(d)(2)(D)),'' after ''(or equivalent unit of local government) in a rural area (as defined in section 1886(d)(2)(D))''.

H.R. 3293

OFFERED BY: MR. SAM JOHNSON OF TEXAS

AMENDMENT NO. 19: At the end of the bill (before the short title), insert the following:

SEC. 524. None of the funds made available in this Act may be used to fund the defense of the case Brian Hall et al v. Leavitt et al (case number 1:2008cv01715) being heard in United States District Court for the District of Columbia.

H.R. 3293

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 20: At the end of the bill (before the short title), insert the following:

SEC. 524. None of the funds made available in this Act shall be made available to the Association of Community Organizations for Reform Now, Acorn Beneficial Assoc., Inc., Arkansas Broadcast Foundation, Inc., Acorn Children's Beneficial Assoc., Arkansas Community Housing Corp., Acorn Community Land Assoc., Inc., Acorn Community Land Assoc. of Illinois, Acorn Community Land Association of Louisiana, Acorn Community Land Assoc. of Pennsylvania, ACORN Community Labor Organizing Center, ACORN Beverly LLC, ACORN Canada, ACORN Center for Housing, ACORN Housing Affordable Loans LLC, Acorn Housing 1 Associates, LP, Acorn Housing 2 Associates, LP, ACORN Housing 3 Associates LP, ACORN Housing 4 Associates, L.P., ACORN International, ACORN VOTES, Acorn 2004 Housing Development Fund Corporation, ACRMW, ACSI, Acorn Cultural Trust, Inc., American Environmental Justice Project, Inc., ACORN Fund, Inc., Acorn Fair Housing Organization, Inc., Acorn Foster Parents, Inc., Agape Broadcast Foundation Inc., Acorn Housing Corporation, Arkansas Acorn Housing Corporation, Acorn Housing Corp. of Arizona, Acorn Housing Corp. of Illinois, Acorn Housing Corp. of Missouri, New Jersey ACORN Housing Corporation, Inc., AHCNY, Acorn Housing Corp. of Pennsylvania, Texas ACORN Housing Corporation, Inc., American Institute for Social Justice, Acorn law for Education, Rep. & Training, Acorn Law Reform Pac, Affiliated Media Foundation Movement, Albuquerque Minimum Wage Committee, Acorn National Broadcasting Network, Arkansas New Party, Arkansas Acorn Political Action Committee, Association for Rights of Citizens, Acorn Services, Inc., Acorn Television in Action for Communities, Acorn Tenants' Union, Inc., Acorn Tenant Union Training & Org. Project, AWA, Baltimore Organizing Support Center, Inc., Bronx Parent Leadership, Baton Rouge ACORN Education Project, Inc., Baton Rouge Assoc. of School Employees, Broad Street Corporation, California Acorn Political Action Committee, Citizens Action Research Project, Council Beneficial Association, Citizens Campaign for Fair Work, Living Wage Etc., Citizens Consulting, Inc., California Community Network, Citizens for April Troope, Clean Government Pac, Chicago Organizing and Support Center, Inc., Council Health Plan, Citizens Services Society, Campaign For Justice at Avondale, CLOC, Community and Labor for Baltimore, Chief Organizer Fund, Colorado Organizing and Support Center, Community Real Estate Processing, Inc., Campaign to Reward Work, Citizens Services Incorporated, Elysian Fields Corporation, Environmental Justice Training Project, Inc., Franklin Acorn Housing Corporation, Flagstaff Broadcast Foundation, Floridians for All PAC, Fifteenth Street Corporation, Friends of Wendy Foy, Greenwell Springs Corporations, Genevieve Stewart Campaign Fund, Hammurabi Fund, Houston Organizing Support Center, Hospitality Hotel and Restaurant Org. Council, Iowa ACORN Broadcasting Corp., Illinois Home Day Care Workers Association, Inc., Illinois Acorn Political Action Committee, Illinois New Party, Illinois New Party Political Committee, Institute for Worker Education, Inc., Jefferson Association of Parish Employees, Jefferson Association of School Employees, Johnnie Pugh Campaign Fund, Louisiana ACORN Political Action Committee, Louisiana Acorn Fair Housing, Inc., Labor Neighbor Research & Training Center, Inc., Service Employee Int UNION L100, Local 100 Health and Warfare Fund, Local 100 Political Action Committee, Local 100 Retirement Plan, Service Employees International Union L880, Local 880 SEIU Political Action Committee, Local 880 SEIU Power Political Action Committee, Massachusetts ACORN Political Action Committee, Maryland ACORN Political Action Committee, Mott Haven ACORN Housing Development Fund, Mutual Housing Association of New York, Inc., MHANY A/A/F Neighborhood Restore HDFC, MHANY 2003 Housing Development Fund Corporation, Missouri Home Day Care Workers Association, Inc., McClellan Multi Family Corporation, Minnesota ACORN Political Action Committee, Neighbors for Athelia Ray, Neighbors for Maria Torres, Neighbors for Ted Thomas, New Mexico ACORN Fair Housing, Inc., New Mexico ACORN Political Action Committee, New Mexico Organizing Support Center, New Orleans Campaign for a, New York Agency for Community Affairs, Inc., New York Acorn Political Action Committee, New York Organizing and Support Center, Oregon ACORN Political Action Committee, Pennsylvania ACORN Political Action Committee, Pugh Election Committee, People's Equipment Resource Corporation, Progressive Houston, Pennsylvania Institute for Community Affairs, Inc., Phoenix Organizing and Support Center, Inc., Progressive St. Louis, Referendum Committee for an Accountable Future, Rhode Island APAC, Sixth Avenue Corporation, San Jacinto Street Corp, St. Louis Organizing and Support Center, Inc., St. Louis Tax Reform Group, Inc., Service Workers Action Team, Texas United City-County Employees, Texas United School Employees, Inc., United Security Workers for America, Local, Volunteers for America, Inc., Voting for America, Inc., Washington ACORN Political Action Committee, WARN, Working Families Association, Inc., Wal-Mart Workers Association, 385 Palmetto or 650 Political Action Committee.

H.R. 3293

OFFERED BY: MR. LEWIS OF CALIFORNIA

AMENDMENT NO. 21: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used by the Secretary of Health and Human Services to promulgate, issue, implement, administer, or enforce any regulation with respect to a program of health insurance not in existence as of July 15, 2009.

H.R. 3293

OFFERED BY: MR. TIAHRT

AMENDMENT NO. 22: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to make coverage or reimbursement decisions resulting from comparative effectiveness research in any health insurance plan administered by the Secretary of Health and Human Services.